

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

DINO ANTOLINI, ) Case No.: 1:19-cv-9038

Plaintiff, )

-against- )

AMY MCCLOSKEY, THERESA )  
LAURENT, DIMUR )  
ENTERPRISES INC., EDDIE )  
C K CHUNG and C&S )  
MILLENIUM REAL ESTATE )  
LLC, )

Defendants.

Virtual Deposition of DINO ANTOLINI

Thursday, August 26, 2021 - 11:00 a.m., EDT

Reported by:

Jonathan MacDonald

Job No.: 3057

1                   VIRTUAL DEPOSITION OF DINO ANTOLINI,  
2       a Plaintiff herein, called by the Defendants,  
3       for examination, taken pursuant to  
4       Fed.R.Civ.P.30(b)(1), the applicable Rules of  
5       the United States District Court for the  
6       Southern District of New York, by and before  
7       Jonathan MacDonald, a Court Reporter and a  
8       notary public in and for the Commonwealth of  
9       Pennsylvania, taken remotely via Zoom, on  
10      Thursday, August 26, 2021, at 11:00 a.m., EDT.

## 1 APPEARANCES

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## P R O C E E D I N G S

THE REPORTER: The attorneys participating in this deposition acknowledge that I am not physically present in the deposition room and that I will be reporting this deposition remotely.

They further acknowledge that, in lieu of an oath administered in person, the witness will verbally declare her testimony in this matter is under penalty of perjury.

The parties and their counsel consent to this arrangement and waive any objections to this manner of reporting. Please indicate your agreement by stating your name and your agreement on the record.

MR. MIZRAHI: Jason Mizrahi for Levin-Epstein & Associates, P.C., we agree.

MR. FINKELSTEIN: Stuart Finkelstein, I agree.

MR. MIZRAHI: Today is August 26, 2021. The time is now 11:21 a.m., Eastern Standard time. The Court had entered a memo endorsement on August 12, 2021, under Docket Entry No. 216 stating as follows: "Plaintiff's deposition shall proceed remotely

1 via video on Thursday, August 26, 2021,  
2 starting at 10:00 a.m."

3 Due to some technological issues,  
4 the witness had not appeared until 11:20 a.m.  
5 Defendants respectfully reserve the right to  
6 add 20 minutes to today's deposition.

7 MR. FINKELSTEIN: Finished?  
8 You finished? Yeah. I just want to say, I  
9 don't think it's -- I think it's Eastern  
10 Daylight Saving Time. So I'm not sure if it's  
11 just regular eastern time. I just want to make  
12 that correction for the record regarding the  
13 time statement. Thank you.

14 DINO ANTOLINI, a Plaintiff  
15 herein, having been first duly sworn, was  
16 examined and testified as follows:

17 EXAMINATION

18 BY MR. MIZRAHI:

19 Q. Good morning, Mr. Antolini.

20 A. Good morning.

21 Q. Can you hear me?

22 A. Yeah.

23 Q. Great. How are you this morning?

24 MR. FINKELSTEIN: Oh, he says  
25 fine. Let's get on with the deposition,

1 please. Thank you.

2 BY MR. MIZRAHI:

3 Q. Mr. Antolini, how are you this  
4 morning?

5 MR. FINKELSTEIN: That's fine,  
6 let's start with the deposition, please.

7 BY MR. MIZRAHI:

8 Q. Mr. Antolini, did you hear my  
9 question?

10 A. I did.

11 Q. How are you this morning?

12 A. I'm well today. I am okay.

13 Q. My name is Jason. I represent the  
14 Defendants in this action. You may recall we  
15 had met previously at the last deposition.

16 MR. FINKELSTEIN: Is that a  
17 question?

18 BY MR. MIZRAHI:

19 Q. I'm sorry, Dino, I didn't hear you.  
20 What did you say?

21 A. What are you trying to say?

22 Q. It's a pleasure to see you again.  
23 We're here today to take your continued  
24 deposition.

25 A. What?

1 Q. We are here this morning to take  
2 your continued deposition.

3 A. Yes, I know that.

4 Q. So before we get started, I wanted  
5 to remind you of certain ground rules. These  
6 are the same ground rules that I had stated  
7 last time, before we started. As a reminder, I  
8 would like to remind you of these rules, so  
9 there aren't any issues today; is that okay?

10 A. Yes.

11 Q. So if at any point you don't  
12 understand any of my questions, please let me  
13 know. I'd be happy to rephrase them.

14 A. You got it.

15 Q. Even if you think you know the  
16 question that I'm going to be asking, I'm  
17 asking you to let me finish stating the  
18 question. That way that court reporter can  
19 take down all of the testimony accurately. The  
20 court reporter who is with us today, his name  
21 is Jonathan. Jonathan's job is to take down  
22 all of the --

23 MR. FINKELSTEIN: Note my  
24 objection please, Jonathan. Thank you.

25 BY MR. MIZRAHI:



1 Q. If you don't ask me to clarify a  
2 question, I'm going to assume that you  
3 understood it. Do you understand that?

4 A. I got it.

5 Q. Let me know if you need to take any  
6 breaks. I'll be happy to accommodate. The  
7 only thing is that if there is a question  
8 pending, you have to answer the question before  
9 we take a break.

10 A. Okay.

11 Q. And please remember to verbalize  
12 your responses. So that means, please don't  
13 nod your head yes or no, up or down. Make sure  
14 that all of your responses are verbal, that way  
15 the court reporter can take them down.

16 A. I understand.

17 Q. The last thing that I would like to  
18 say to you, Dino --

19 MR. FINKELSTEIN: Hold on a  
20 second. He is not Dino to you, Mister. His  
21 name is Mr. Antolini. You did the same thing  
22 last time -- besides all the other crazy  
23 chazarah. To you, it's Mr. Antolini, not Dino.  
24 So maybe you could refrain from doing that,  
25 Mister.

1 BY MR. MIZRAHI:

2 Q. Mr. Antolini, the only other thing  
3 that I want to say to you before we get  
4 started, unless your attorney explicitly tells  
5 you not to answer a question --

6 MR. FINKELSTEIN: Objection.

7 BY MR. MIZRAHI:

8 Q. -- you are to answer the question  
9 that's being asked. Do you understand that?

10 A. I do.

11 Q. Mr. Antolini, besides this lawsuit,  
12 have you ever been involved in any other legal  
13 claims or lawsuits?

14 A. Yes --

15 MR. FINKELSTEIN: Objection.

16 Objection. Asked and answered at the last  
17 deposition at length, ad nauseam. And if  
18 you're going to continue to repeat the same  
19 questions that you did last time, we're going  
20 to need to call up the Judge to get a ruling.

21 This is a continuing deposition,  
22 it's not a rehash of the last four hours that  
23 we had April 19th. So I'll be guided by your  
24 next question, Counsel.

25 BY MR. MIZRAHI:

1 Q. Dino, I didn't hear what you said.

2 MR. FINKELSTEIN: Jonathan,  
3 did you hear what I said?

4 THE REPORTER: Did I hear what  
5 you said, Mr. Finkelstein?

6 MR. FINKELSTEIN: Yes.

7 THE REPORTER: Yes. I have  
8 your statement.

9 MR. FINKELSTEIN: Good. Would  
10 you be kind enough, sir, to read it back to  
11 him.

12 THE REPORTER: The full  
13 statement?

14 MR. FINKELSTEIN: Yes, please.

15 THE REPORTER: Okay. Just a  
16 moment.

17 MR. MIZRAHI: Jonathan, I'm  
18 going to ask that you just take down testimony.  
19 I don't think that it's necessary for you to  
20 repeat any prior testimony. Okay.

21 THE REPORTER: Okay.

22 MR. FINKELSTEIN: First off,  
23 mine's not testimony. Jonathan, would you  
24 repeat back into the record, please, because he  
25 said he didn't hear what I said. So if you

1       could repeat what I said, I would appreciate  
2       it.

3                   MR. MIZRAHI:   Jonathan, I'm  
4       going to ask you just, once again, please just  
5       transcribe the record.  Don't repeat anything  
6       unless I ask.

7                   MR. FINKELSTEIN:  Jonathan,  
8       you're licensed.  You cannot take directions  
9       from him as to how --

10                  MR. MIZRAHI:  Please make sure  
11       you're transcribing each and every word coming  
12       out of Mr. Finkelstein's mouth.

13                  MR. FINKELSTEIN:  Yes.  
14       Jonathan, he said that he didn't hear me.  Do  
15       you have that on the record?

16                  THE REPORTER:  I do.

17                  MR. FINKELSTEIN:  Okay.  Let's  
18       proceed then.  Thank you.

19       BY MR. MIZRAHI:

20                  Q.     Dino, I didn't hear the answer to my  
21       question.  Can you please repeat the answer?

22                  MR. FINKELSTEIN:  Okay.  
23       Jonathan, can you hear me?

24                  THE REPORTER:  Yes, I can hear  
25       you.

1 MR. FINKELSTEIN: Great. Same  
2 objection as last time. This is not going to  
3 be a rehashing of the last deposition of four  
4 hours where he gets to ask the same questions  
5 over again. My understanding -- it's a  
6 continuing deposition, it picks up wherever he  
7 left off the last time. And if he's going to  
8 continue to ask these questions -- to re-ask  
9 these questions again, then we're going to need  
10 to get the Judge on the phone and get a ruling  
11 from him. If he wants to allow him to rehash  
12 four hours, that's fine. In any event, I'll be  
13 guided by this man's next question. Thank you,  
14 Jonathan.

15 Q. Dino, was the answer to my question  
16 yes?

17 MR. FINKELSTEIN: Yes. He  
18 said yes. That's correct.

19 BY MR. MIZRAHI:

20 Q. Dino, was the answer to my question  
21 yes?

22 A. Yes.

23 Q. What other legal claims or lawsuits  
24 have you been involved in?

25 A. Excuse me? Regarding what?

1 Q. How many other legal claims or  
2 lawsuits have you been involved in?

3 MR. FINKELSTEIN: Objection.

4 BY MR. MIZRAHI:

5 Q. Dino, did you hear my question?

6 A. I heard your question.

7 THE REPORTER: I'm sorry,  
8 Mr. Antolini, I didn't hear that.

9 THE WITNESS: Okay. My lawyer  
10 objected to the question.

11 MR. FINKELSTEIN: That's okay.  
12 Dino, you can answer. I'm glad you did that  
13 just now. That's good, I like that. But you  
14 can answer, sure.

15 THE WITNESS: Regarding  
16 Mr. Finkelstein as my lawyer, yes.

17 BY MR. MIZRAHI:

18 Q. How many other lawsuits have you  
19 been involved in?

20 MR. FINKELSTEIN: Objection.

21 You can answer --

22 THE WITNESS: I don't know.

23 MR. FINKELSTEIN: Jonathan,  
24 did you get that he said I don't know.

25 THE WITNESS: I don't know.

1 MR. FINKELSTEIN: Okay. Cool.

2 BY MR. MIZRAHI:

3 Q. Mr. Antolini, is it more than five  
4 or less than five?

5 MR. FINKELSTEIN: Objection.

6 THE WITNESS: I don't know.

7 BY MR. MIZRAHI:

8 Q. Is it more than ten or less than  
9 ten?

10 A. I don't know.

11 Q. A hundred?

12 MR. FINKELSTEIN: Objection.

13 THE WITNESS: I don't know.

14 BY MR. MIZRAHI:

15 Q. Mr. Antolini, who is Stuart  
16 Finkelstein?

17 A. What?

18 Q. Who is Stuart Finkelstein?

19 A. My lawyer.

20 Q. Without disclosing the contents of  
21 any of the conversations that you've had with  
22 your attorney, I'd like you to tell me, how did  
23 you and Mr. Finkelstein meet?

24 MR. FINKELSTEIN: Objection.

25 That's privileged. It's communication, whether

1 verbal or nonverbal, and I'm directing him not  
2 to answer the question. Don't answer, Dino.

3 THE WITNESS: I don't know.

4 MR. FINKELSTEIN: No, no.  
5 Just don't answer.

6 THE WITNESS: I --

7 MR. FINKELSTEIN: Thank you.

8 BY MR. MIZRAHI:

9 Q. Mr. Antolini, do you recall how you  
10 and Mr. Finkelstein met?

11 MR. FINKELSTEIN: Objection.  
12 Privileged. Don't answer, Dino.

13 THE WITNESS: I won't answer.

14 MR. FINKELSTEIN: Dino, when I  
15 say don't answer, you don't have to say  
16 anything. That's fine; okay?

17 THE WITNESS: Okay.

18 BY MR. MIZRAHI:

19 Q. Again, Mr. Antolini, I'm not  
20 interested in any conversations or  
21 communications, whether verbal or nonverbal,  
22 all right? How long ago did you and  
23 Mr. Finkelstein meet?

24 MR. FINKELSTEIN: Yeah. Same  
25 objection. And I'm glad he picked up on my



1        wording when I say verbal or nonverbal. It's  
2        all-encompassing. It's privileged  
3        communication. I'm directing my client not to  
4        answer this line of questions. Move on,  
5        please -- or don't move on, whatever you want  
6        to do.

7                    Waiting for your next question.

8        BY MR. MIZRAHI:

9                Q.        Mr. Antolini, have you ever been  
10       subpoenaed by the U.S. Attorney's Office?

11              A.        Excuse me?

12              Q.        Have you ever been subpoenaed by the  
13       U.S. Attorney's Office?

14              A.        Yes.

15              Q.        And when were you subpoenaed by the  
16       U.S. Attorney's Office?

17                    MR. FINKELSTEIN: Objection.

18                    THE WITNESS: I don't know. I  
19       went there.

20       BY MR. MIZRAHI:

21              Q.        What month or what year?

22                    MR. FINKELSTEIN: Objection.

23                    THE WITNESS: I don't know. I  
24       went there. I was subpoenaed.

25       BY MR. MIZRAHI:

1 Q. You said you were subpoenaed?

2 MR. FINKELSTEIN: Objection.

3 He just answered that three times.

4 BY MR. MIZRAHI:

5 Q. I'm sorry, Dino. I didn't hear you.

6 A. I was subpoenaed. I went.

7 THE REPORTER: I'm sorry. Was  
8 that, I was or I wasn't?

9 MR. FINKELSTEIN: He said I  
10 was subpoenaed, and I think he said I went.  
11 I'm not sure. Am I right, Dino?

12 THE WITNESS: Yeah.

13 MR. FINKELSTEIN: Yeah.

14 Thanks.

15 MR. MIZRAHI: Please note the  
16 improper speaking objection --

17 MR. FINKELSTEIN: Duly noted.  
18 Absolutely. Duly noted.

19 BY MR. MIZRAHI:

20 Q. Mr. Antolini, have you ever been  
21 interviewed by anyone from the U.S. Attorney's  
22 Office?

23 MR. FINKELSTEIN: Objection.

24 THE WITNESS: Yes.

25 BY MR. MIZRAHI:

1 Q. When was that interview?

2 MR. FINKELSTEIN: Objection.

3 THE WITNESS: I don't know.

4 BY MR. MIZRAHI:

5 Q. Was it in the last year?

6 MR. FINKELSTEIN: Objection.

7 Dino, you can answer even though I said  
8 objection. Dino, can you hear me?

9 THE WITNESS: Yeah.

10 MR. FINKELSTEIN: Did you hear  
11 his last question? If you did, you can answer.

12 THE WITNESS: What?

13 MR. FINKELSTEIN: If you heard  
14 his last question, you can answer.

15 THE WITNESS: Can you repeat  
16 it?

17 BY MR. MIZRAHI:

18 Q. You said you have been interviewed  
19 by someone at the U.S. Attorney's Office --

20 MR. FINKELSTEIN: Objection.  
21 Asked and answered.

22 THE WITNESS: Yes.

23 BY MR. MIZRAHI:

24 Q. Was that in the last year?

25 MR. FINKELSTEIN: Objection.

1 THE WITNESS: I don't know.

2 BY MR. MIZRAHI:

3 Q. Was that in the last two years?

4 MR. FINKELSTEIN: Objection.

5 THE WITNESS: I don't know.

6 BY MR. MIZRAHI:

7 Q. Mr. Antolini, do you know anyone by  
8 the name of Rushmi Bhaskaran?

9 MR. FINKELSTEIN: Objection.

10 You can answer, Dino. Of course.

11 THE WITNESS: Who?

12 BY MR. MIZRAHI:

13 Q. Rushmi. First name R-U-S-H-M-I?

14 A. No.

15 Q. Mr. Antolini, why were you  
16 interviewed by the U.S. Attorney's Office?

17 MR. FINKELSTEIN: Objection.

18 THE WITNESS: Regarding my  
19 lawyer.

20 BY MR. MIZRAHI:

21 Q. What about your lawyer?

22 MR. FINKELSTEIN: Objection.

23 THE WITNESS: They said to go  
24 to the courthouse. I was served with a  
25 subpoena, and I went -- they didn't pursue it

1 that day.

2 BY MR. MIZRAHI:

3 Q. So you said that you were subpoenaed  
4 regarding your lawyer; is that correct?

5 MR. FINKELSTEIN: Objection.

6 Asked and answered.

7 THE WITNESS: Yes.

8 BY MR. MIZRAHI:

9 Q. What about your lawyer?

10 MR. FINKELSTEIN: Objection.

11 I don't understand the question.

12 THE WITNESS: I don't  
13 understand.

14 MR. MIZRAHI: I'm going to  
15 note the improper instruction for the record.

16 MR. FINKELSTEIN: Duly noted.

17 Thank you.

18 BY MR. MIZRAHI:

19 Q. What about your lawyer, Dino?

20 A. What about?

21 MR. FINKELSTEIN: Objection.

22 BY MR. MIZRAHI:

23 Q. Why were you subpoenaed about your  
24 lawyer?

25 MR. FINKELSTEIN: Objection.

1 THE WITNESS: I don't know. I  
2 went -- I was subpoenaed, I went. They said go  
3 home.

4 BY MR. MIZRAHI:

5 Q. What did you discuss?

6 A. Nothing.

7 MR. FINKELSTEIN: Hold --  
8 okay. Objection anyway.

9 THE WITNESS: I went. They  
10 didn't take me there.

11 BY MR. MIZRAHI:

12 Q. So a moment ago, you said you had  
13 been interviewed by someone at the U.S.  
14 Attorney's Office; is that correct?

15 MR. FINKELSTEIN: Objection.  
16 Objection. Dino, Dino, take your time to  
17 answer. Give me time to make my objection and  
18 -- you can answer, Dino, of course.

19 Jonathan, did you get his answer?

20 THE REPORTER: I was waiting  
21 for it.

22 THE WITNESS: Okay. What was  
23 the question?

24 BY MR. MIZRAHI:

25 Q. How long did that interview last?

1 A. It wasn't an interview.

2 Q. There was never an interview; is  
3 that what you said?

4 A. No. I was subpoenaed to go, I went,  
5 they told me to go home. In case they need me,  
6 they'd call. They never called. You  
7 understand? I went and they sent me home and  
8 said when we need you, we will call.

9 MR. MIZRAHI: Jonathan, I'm  
10 going to be introducing an exhibit for the  
11 record. I believe this is Exhibit E. Would  
12 you please mark this as Defendants' Exhibit E  
13 for identification.

14 (Deposition Exhibit E was  
15 marked for identification.)

16 MR. MIZRAHI: I'd like to  
17 confirm. Jonathan, can you see the document on  
18 your screen.

19 THE REPORTER: I can see the  
20 document. Correct.

21 BY MR. MIZRAHI:

22 Q. Dino, can you see this document on  
23 your screen?

24 A. Yes.

25 Q. Dino, I'm showing you a letter dated

1 August 4, 2020. Please take a moment to  
2 familiarize yourself with the document as I  
3 scroll through it.

4 A. I have to make it larger.

5 Q. Mr. Antolini, I'm showing you a  
6 letter filed by your attorney on August 5,  
7 2020, under Docket No. 61.

8 According to the letter, it says,  
9 "The most powerful United States Attorney's  
10 Office in the country subpoenaed and spoke  
11 directly to my client."

12 Do you see that?

13 A. Yes. Okay.

14 Q. Mr. Antolini, to your knowledge, is  
15 this statement true or false?

16 MR. FINKELSTEIN: Objection.  
17 Hold on a second. Dino, Dino, let me talk,  
18 please. No. 1, objection. No. 2 -- yeah. You  
19 can answer, Dino. Go ahead, shoot.

20 THE WITNESS: I never saw that  
21 document.

22 BY MR. MIZRAHI:

23 Q. Mr. Antolini, is this statement that  
24 I just read to you true or false?

25 MR. FINKELSTEIN: Same



1 objection.

2 THE WITNESS: What statement?

3 BY MR. MIZRAHI:

4 Q. It says here that the most powerful  
5 U.S. Attorney's Office in the country spoke  
6 directly to you.

7 MR. FINKELSTEIN: Objection.  
8 And is there a question pending?

9 BY MR. MIZRAHI:

10 Q. Is that an accurate statement,  
11 Mr. Antolini?

12 A. I don't know what your question is.

13 Q. Your attorney filed a letter with  
14 the Court representing that you spoke with the  
15 U.S. Attorney's Office.

16 A. When?

17 MR. FINKELSTEIN: Objection.

18 BY MR. MIZRAHI:

19 Q. It doesn't say when. My question to  
20 you, Dino -- Mr. Antolini, is, is that  
21 statement accurate?

22 A. What's underlined; right?

23 Q. Yeah.

24 MR. FINKELSTEIN: What did he  
25 say -- hold on a second. Jonathan, what did

1 Dino just say?

2 (Reporter read back from the  
3 record.)

4 MR. FINKELSTEIN: Okay. Thank  
5 you.

6 THE WITNESS: Yeah.

7 MR. FINKELSTEIN: Dino, did  
8 you just say something?

9 THE WITNESS: Yeah. They told  
10 me I was subpoenaed. I was served.

11 BY MR. MIZRAHI:

12 Q. But did you ever speak with anyone  
13 at the U.S. --

14 MR. FINKELSTEIN: Objection.  
15 Objection. He just said, yeah, she told me I  
16 was subpoenaed. Asked and answered. Don't  
17 make him change his testimony. Jonathan, did  
18 you take down his answer, please?

19 (Reporter read from the  
20 record.)

21 MR. MIZRAHI: Jonathan, please  
22 note the improper speaking objection and  
23 instruction for the record.

24 BY MR. MIZRAHI:

25 Q. Mr. Antolini, did you speak with

1 anyone at the U.S. Attorney's Office?

2 MR. FINKELSTEIN: Same  
3 objection.

4 THE WITNESS: They showed me a  
5 badge. I don't know if they were U.S.  
6 Attorney's Office or police or whatever --

7 THE REPORTER: I'm sorry. I  
8 couldn't hear that.

9 MR. FINKELSTEIN: Dino, talk  
10 into the microphone. We can hardly hear you.  
11 Please, talk into the phone.

12 THE WITNESS: They showed me a  
13 badge.

14 THE REPORTER: I'm sorry. I  
15 still couldn't get that word. I apologize.

16 THE WITNESS: B-A-D-G-E. They  
17 showed me a badge. I went to the court and  
18 they sent me home. You understand?

19 THE REPORTER: I still didn't  
20 get that first word.

21 MR. FINKELSTEIN: He said I  
22 went to the court and they sent me home.

23 THE WITNESS: They showed me a  
24 badge, gave me a subpoena, and I went to the  
25 court. I don't know what date. I don't know.

1 BY MR. MIZRAHI:

2 Q. Did you speak with anyone at the  
3 U.S. Attorney's Office after you went to court?

4 A. No.

5 Q. Mr. Antolini, before today, were you  
6 aware that your attorney filed this letter?

7 A. I don't know.

8 Q. Have you ever seen this letter  
9 before today?

10 A. No.

11 MR. FINKELSTEIN: Objection.

12 Asked and answered.

13 BY MR. MIZRAHI:

14 Q. Mr. Antolini, have you ever  
15 personally appeared at the Federal Courthouse  
16 located at 500 Pearl Street?

17 MR. FINKELSTEIN: Objection.

18 Asked and answered at the last deposition. And  
19 also -- hold on, Dino. And also, he was  
20 questioned regarding that very question by  
21 Magistrate Judge Stewart Aaron. So we're doing  
22 a repetition here. So I'll be guided by your  
23 next question, Mister. Dino, you can answer.

24 THE WITNESS: Yes, I was  
25 there.

1 BY MR. MIZRAHI:

2 Q. How many times have you appeared at  
3 that courthouse?

4 MR. FINKELSTEIN: Objection.  
5 You can answer, Dino.

6 THE WITNESS: Once. They sent  
7 me home.

8 BY MR. MIZRAHI:

9 Q. Just that one time?

10 A. I don't know.

11 Q. Was it more than once?

12 A. No. One time. They said they would  
13 call me if they need me. They never called.

14 Q. Mr. Antolini, have you ever  
15 personally appeared at the Federal Courthouse  
16 located at 40 Foley Square?

17 A. Yes.

18 Q. How many times?

19 A. I don't know.

20 MR. FINKELSTEIN: Objection.

21 BY MR. MIZRAHI:

22 Q. Was it more than once?

23 MR. FINKELSTEIN: Objection.

24 Asked and answered. He said he doesn't know.

25 You can answer if you know, Dino.

1 THE WITNESS: I think the last  
2 time you asked me the same question. I never  
3 went in the court. I went to the conference  
4 room with a referee.

5 BY MR. MIZRAHI:

6 Q. How many times did you go to the  
7 court for the conference room?

8 A. At least more than one. I don't  
9 know the exact number.

10 Q. Was it more than two times?

11 A. I think so.

12 Q. Was it three or four times?

13 A. I don't keep a diary. We went over  
14 this the last time.

15 Q. Have you been there frequently or  
16 infrequently?

17 MR. FINKELSTEIN: Objection.

18 THE WITNESS: To what,  
19 infrequently?

20 BY MR. MIZRAHI:

21 Q. Have you been there many times or  
22 just a few times?

23 A. A few.

24 Q. Mr. Antolini, I'm showing you what's  
25 been previously marked as Defendants'

1 Exhibit C. Do you see this document?

2 A. I do.

3 (Deposition Exhibit C was  
4 marked for identification.)

5 Q. I'm going to scroll through it.  
6 Please take a moment to familiarize yourself  
7 with the document.

8 A. Okay.

9 Q. Mr. Antolini, do you recognize this  
10 document?

11 A. No.

12 Q. Have you ever seen this document  
13 before today?

14 A. No.

15 Q. Mr. Antolini, I'm showing you an  
16 arrest warrant and Criminal Complaint against  
17 your attorney, Stuart Finkelstein. Were you  
18 aware that Mr. Finkelstein was arrested?

19 MR. FINKELSTEIN: All right.  
20 Hold on, Dino. So Jonathan, can you hear me?

21 THE REPORTER: Yes, I can hear  
22 you.

23 MR. FINKELSTEIN: Great. I'm  
24 going to refer to Judge Stewart Aaron's Order  
25 of June 19, 2021, it's Document No. 184. And

1       there's language to the extent of -- well, here  
2       it is. The Defendants are entitled to answers  
3       to any questions they have probing whether  
4       Plaintiff authorized me to commence the action  
5       -- meaning Mr. Antolini -- to the extent  
6       relevant thereto.

7               There is no relevance with him  
8       asking about an arrest warrant that he just  
9       testified he never saw or never knew about  
10      having anything to do with his lawsuit against  
11      Madame X.

12             The Judge further goes on in his  
13      Order to footnote, Footnote No. 1, the Court  
14      would not look favorably, however, on questions  
15      concerning a warrant or indictment that are not  
16      relevant to any issue in this action and that  
17      instead appear intended to harass counsel.

18             This is exactly what's taking place  
19      right now. So Mr. Antolini, based on  
20      relevance, and more important, obviously, the  
21      Judge's Order of June 19th, is not going to  
22      answer these questions. Next question,  
23      Counsel.

24             MR. MIZRAHI: Please note the  
25      improper speaking objection for the record.



1 MR. FINKELSTEIN: Duly noted.

2 Thank you. Appreciate it.

3 MR. MIZRAHI: Mr. Finkelstein,  
4 are you directing your client not to answer  
5 this question?

6 MR. FINKELSTEIN: The record  
7 speaks for itself, Counsel -- Mister. Excuse  
8 me. Mister.

9 MR. MIZRAHI: Are you  
10 directing your client not to answer the  
11 question?

12 MR. FINKELSTEIN: We're  
13 waiting for you to ask the next question, if  
14 there is one. Otherwise, I'll assume you're  
15 finished with all your questions.

16 BY MR. MIZRAHI:

17 Q. Mr. Antolini, you can answer the  
18 question.

19 MR. FINKELSTEIN: Okay.  
20 Mr. Antolini -- sorry. Dino -- and for the  
21 record, what I just said is, the record speaks  
22 for itself. Next question, please.

23 BY MR. MIZRAHI:

24 Q. Mr. Antolini, do you know what your  
25 attorney was arrested for?

1 MR. FINKELSTEIN: This is  
2 going to be the same objection. Don't answer,  
3 Dino. And note my continuing objection based  
4 upon my two statements, please, Jonathan.  
5 Thank you.

6 Because there is no relevance, I'll  
7 say it again, as to Dino authorizing me to  
8 start and maintain this lawsuit against Madame  
9 X and its four Defendants.

10 So objection based on relevance and  
11 based on Judge's Order and based on harassment  
12 of me by this person asking the questions.  
13 Next question, please.

14 BY MR. MIZRAHI:

15 Q. Mr. Antolini, are you aware that  
16 your attorney was recently indicted?

17 MR. FINKELSTEIN: That's going  
18 to be the same objection. Don't answer it --  
19 no, Dino, you can answer that one, who cares.  
20 You can answer. Sorry.

21 THE WITNESS: No.

22 BY MR. MIZRAHI:

23 Q. Are you aware that your attorney was  
24 disbarred from practicing law in New York in  
25 2007?

1 MR. FINKELSTEIN: Same  
2 objection. Don't answer, Dino.

3 BY MR. MIZRAHI:

4 Q. Mr. Antolini, are you aware that  
5 your attorney is charged with practicing law  
6 without a law license?

7 MR. FINKELSTEIN: Objection.  
8 Don't answer. Misleading, mischaracterization,  
9 and, of course, everything I've said regarding  
10 the Order of Judge Stewart Aaron of June 19,  
11 2021. Again, Document No. 184. Don't answer,  
12 Dino.

13 BY MR. MIZRAHI:

14 Q. Mr. Antolini, are you aware that the  
15 Court has imposed sanctions on your attorney  
16 for his conduct throughout this litigation?

17 A. Repeat the question.

18 MR. MIZRAHI: Jonathan, if you  
19 can please read back my question.

20 (Reporter read back from the  
21 record.)

22 THE WITNESS: Yes.

23 Q. Are you aware that the Court will  
24 impose additional sanctions on your attorney  
25 for his conduct during the last deposition?

1 MR. FINKELSTEIN: Say --

2 THE WITNESS: I don't know.

3 MR. FINKELSTEIN: Okay.

4 That's fine. That's fine.

5 THE WITNESS: I'm not too

6 sure.

7 MR. FINKELSTEIN: Dino, can

8 you hear me?

9 THE WITNESS: Yeah.

10 MR. FINKELSTEIN: Are you all

11 right? You need a break, are you good?

12 THE WITNESS: I'm good.

13 MR. FINKELSTEIN: All right.

14 I'm good, too. Excellent.

15 BY MR. MIZRAHI:

16 Q. Mr. Antolini, are you aware that the  
17 Court may impose additional sanctions on your  
18 attorney and on you for failing to appear for  
19 your July 23rd deposition or the July 23rd  
20 telephonic conference?

21 MR. FINKELSTEIN: Objection.

22 You can answer, of course.

23 THE WITNESS: I thought I told  
24 the Judge what happened, and he said it was all  
25 right.

1 BY MR. MIZRAHI:

2 Q. Are you aware that the Judge is  
3 considering imposing sanctions for your failure  
4 to attend the deposition and the conference?

5 A. No.

6 Q. Mr. Antolini, do you trust  
7 Mr. Finkelstein?

8 MR. FINKELSTEIN: Don't answer  
9 that.

10 THE WITNESS: Yes.

11 MR. FINKELSTEIN: Oh, yes.  
12 Okay, Dino. I appreciate that.

13 Next idiotic question, please,  
14 already. Oh, my God.

15 Hey, Jonathan, let me ask you a  
16 question. How come you keep going on mute, and  
17 I can't see your smiling face; what's up with  
18 that?

19 THE REPORTER: It's just  
20 standard. I try not to be a distraction.

21 MR. FINKELSTEIN: You'd be a  
22 welcome distraction. If you want to put your  
23 face up there, that would be nice. Otherwise,  
24 I gotta look at -- you know what I mean?

25 MR. MIZRAHI: Jonathan, please

1 make sure you're taking down all of this  
2 speaking testimony from Mr. Finkelstein.

3 MR. FINKELSTEIN: First of  
4 all, I'm not a witness, I'm not testifying, and  
5 like that.

6 But Jonathan, if you want to put  
7 your -- it's okay with me. Because every time  
8 I talk to you, you keep staying muted. So do  
9 you mute yourself, too?

10 THE REPORTER: I do.

11 MR. MIZRAHI: Jonathan, please  
12 just make sure you take down all the verbal  
13 statements and all the verbal testimony from  
14 Mr. --

15 MR. FINKELSTEIN: Duly noted.  
16 Next question, please.

17 BY MR. MIZRAHI:

18 Q. Mr. Finkelstein -- sorry.  
19 Mr. Antolini, do you trust Mr. Finkelstein?

20 A. Yes.

21 MR. FINKELSTEIN: Asked and  
22 answered. Yes. He already answered. Dino,  
23 don't answer any more of these silly questions  
24 about trust. Unless you want to -- no, I'm  
25 kidding.

1 Jonathan, you got his answer down,  
2 that he said yes?

3 THE REPORTER: I have that  
4 answer, previously, yes.

5 MR. FINKELSTEIN: So you got  
6 that twice, now. Thank you.

7 BY MR. MIZRAHI:

8 Q. Mr. Antolini, why do you trust  
9 Mr. Finkelstein?

10 MR. FINKELSTEIN: Don't  
11 answer. Next question. Don't answer, Dino.  
12 Don't answer one word, please. Next question,  
13 please -- or don't ask one, it's up to you.

14 MR. MIZRAHI: Mr. Finkelstein,  
15 what's the basis of your instruction to your  
16 client not to answer the question?

17 MR. FINKELSTEIN: Yeah. Next  
18 question, Counsel.

19 BY MR. MIZRAHI:

20 Q. Mr. Antolini, do you know what Power  
21 of Attorney is?

22 A. Yes.

23 MR. FINKELSTEIN: Objection --  
24 yes. You can answer. Dino, do me a favor,  
25 don't answer so quick. Give me time to make my

1 objection, I'm going to tell you whether to  
2 answer or not. Okay?

3 THE WITNESS: Okay. You got  
4 it.

5 MR. FINKELSTEIN: Thanks, pal.  
6 BY MR. MIZRAHI:

7 Q. Mr. Antolini, I didn't hear your  
8 response over your attorney's objection.

9 MR. FINKELSTEIN:  
10 Mr. MacDonald, did you hear him say yes?

11 THE REPORTER: I do have yes  
12 written down.

13 MR. FINKELSTEIN: Thank you.  
14 Thank you.

15 MR. MIZRAHI: Once again,  
16 Jonathan, I'd like to ask you to make sure that  
17 you're transcribing each and every word from  
18 Mr. Finkelstein, including his improper  
19 speaking objections.

20 THE REPORTER: Noted. Thank  
21 you.

22 MR. FINKELSTEIN: Thank you,  
23 Jonathan.

24 BY MR. MIZRAHI:

25 Q. Mr. Antolini, I didn't hear your



1 response to the last question. Do you know  
2 what Power of Attorney is?

3 MR. FINKELSTEIN: Asked and  
4 answered three times. You can answer, Dino.

5 THE WITNESS: Yes.

6 BY MR. MIZRAHI:

7 Q. Have you ever executed a Power of  
8 Attorney in favor of Mr. Finkelstein?

9 MR. FINKELSTEIN: Objection.  
10 Don't answer, it goes to privilege. Next  
11 question, Counselor. Don't answer, Dino, not a  
12 word, please. Thank you.

13 Q. Mr. Antolini, I'm not interested in  
14 any conversations you've had with your  
15 attorney, I'm not interested in any  
16 communications that you had with him. My  
17 question to you is, have you ever executed a  
18 Power of Attorney in favor of Mr. Finkelstein?

19 MR. FINKELSTEIN: Dino, do not  
20 answer. Not only does it go to privilege,  
21 which as far as I'm concerned might even  
22 encompass a work product, but -- Dino, don't  
23 answer. Next question, please.

24 BY MR. MIZRAHI:

25 Q. Mr. Antolini, have you ever executed

1 a retainer agreement authorizing  
2 Mr. Finkelstein to represent you for the  
3 purpose of commencing and prosecuting this  
4 action?

5 MR. FINKELSTEIN: Again, goes  
6 to privilege, work product, and also asked and  
7 answered in Interrogatories, and I believe in a  
8 number of conferences with the Court. So don't  
9 answer, Dino.

10 If you want to ask him, did he  
11 authorize me to commence this lawsuit, by all  
12 means, that's a matter of public record. But  
13 anything other than that is same objection.  
14 Thank you.

15 BY MR. MIZRAHI:

16 Q. Mr. Antolini, how often do you speak  
17 with your attorney?

18 MR. FINKELSTEIN: Dino --  
19 objection on silliness and unbelievableness.  
20 Next question. Don't answer, Dino.

21 These are really outrageous  
22 questions, man. I was going to say I'm  
23 surprised, but I'm not. Next question, please.  
24 Thank you.

25 BY MR. MIZRAHI:

1 Q. Mr. Antolini, how many times did you  
2 communicate with your attorney --

3 MR. FINKELSTEIN: Next  
4 question. Dino, don't answer. Next question,  
5 please.

6 BY MR. MIZRAHI:

7 Q. Mr. Antolini, I'm going to repeat my  
8 question because I was interrupted. My  
9 question was, how many times did you  
10 communicate with your attorney related to this  
11 lawsuit?

12 MR. FINKELSTEIN: Dino, don't  
13 answer. Next question, please.

14 BY MR. MIZRAHI:

15 Q. Mr. Antolini, how do you, typically,  
16 communicate with your attorney?

17 MR. FINKELSTEIN: Next  
18 question. Don't answer, Dino. Same objection,  
19 obviously -- or, objections, I should say.

20 BY MR. MIZRAHI:

21 Q. Mr. Antolini, has your attorney ever  
22 provided you with any documents to sign in  
23 connection with your ADA lawsuits?

24 MR. FINKELSTEIN: Don't  
25 answer, Dino. Privilege, work product, the

1 whole rigamarole. Don't answer, Dino. Next  
2 question, please.

3 BY MR. MIZRAHI:

4 Q. Mr. Antolini, do you have a scanner  
5 at home?

6 MR. FINKELSTEIN: Don't  
7 answer. Irrelevant, immaterial, objection.  
8 And also, that very question was asked by the  
9 Judge Magistrate on this case, and Mr. Antolini  
10 was sworn to before that little mentioned  
11 cross-examination took place. And we all know  
12 the answer. See the transcript of that  
13 conference. Don't answer, Dino. Next  
14 question, please.

15 BY MR. MIZRAHI:

16 Q. Mr. Antolini, do you have a printer  
17 at home?

18 MR. FINKELSTEIN: Objection.  
19 Asked and answered by the Judge and not  
20 relevant to anything that I'm aware of. Next  
21 question, please. Thank you.

22 By the way -- because this all goes  
23 to, as we know, his ability to communicate with  
24 me which again was cause by which he was  
25 examined under oath by the Magistrate in this

1 case. Next question, please.

2 MR. MIZRAHI: To be clear, Mr.  
3 Finkelstein, you're directing your client not  
4 to answer the question?

5 MR. FINKELSTEIN: Next  
6 question, please. Thank you. Appreciate it.

7 MR. MIZRAHI: Jonathan, I'd  
8 like to introduce another exhibit for the  
9 record. Please mark this Defendants' Exhibit F  
10 for identification.

11 (Deposition Exhibit F was  
12 marked for identification.)

13 Q. Mr. Antolini, I'm showing you a set  
14 of responses and objections to Interrogatories  
15 dated July 24, 2020. Please take a moment to  
16 familiarize yourself with this document, as I  
17 scroll through it.

18 Mr. Antolini, do you recognize this  
19 document?

20 A. Yes.

21 Q. What is it?

22 A. Excuse me?

23 Q. What is it?

24 MR. FINKELSTEIN: Objection.

25 You can answer if you know, Dino, obviously.

1 THE WITNESS: I'm not a  
2 lawyer.

3 BY MR. MIZRAHI:

4 Q. Have you ever seen this document  
5 before?

6 MR. FINKELSTEIN: Asked and  
7 answered. He just said yes. He just said yes.

8 MR. MIZRAHI: I'm going to  
9 note the improper instruction --

10 MR. FINKELSTEIN: I'm going to  
11 note the improper questioning because you  
12 repeat the same question all the time, two,  
13 three, four times. He had just answered you  
14 not more that 20 seconds before that, he said  
15 yes to your very first question.

16 MR. MIZRAHI: Once again, note  
17 the improper speaking instruction --

18 MR. FINKELSTEIN: Absolutely.  
19 Duly noted. Thank you.

20 BY MR. MIZRAHI:

21 Q. Mr. Antolini, have you ever seen  
22 this document before?

23 MR. FINKELSTEIN: Asked and  
24 answered, now, four times. Dino, you can  
25 answer.

1 THE WITNESS: Yes.

2 BY MR. MIZRAHI:

3 Q. What is this document?

4 MR. FINKELSTEIN: Asked and  
5 answered. He already said, I'm not a lawyer.

6 BY MR. MIZRAHI:

7 Q. Mr. Antolini, does your name appear  
8 anywhere on this document?

9 A. Yes.

10 Q. Mr. Antolini, did you sign this  
11 document?

12 MR. FINKELSTEIN: Objection,  
13 but you can answer.

14 THE WITNESS: Yes.

15 BY MR. MIZRAHI:

16 Q. Mr. Antolini, is this your  
17 signature?

18 MR. FINKELSTEIN: He just said  
19 he signed it. Objection.

20 MR. MIZRAHI: I'm going to  
21 note the improper instruction for the record.

22 MR. FINKELSTEIN: Jonathan, he  
23 said yes?

24 (Reporter read back from the  
25 record.)

1 MR. FINKELSTEIN: Okay.

2 Thanks.

3 BY MR. MIZRAHI:

4 Q. Mr. Antolini, is this your  
5 signature?

6 MR. FINKELSTEIN: Asked and  
7 answered. Objection. You can answer.

8 THE WITNESS: Yes.

9 BY MR. MIZRAHI:

10 Q. Mr. Antolini, did you read this  
11 document before you signed it?

12 A. Yes.

13 Q. How many times did you read it?

14 MR. FINKELSTEIN: How many  
15 times did you read it -- objection. I'm sorry.  
16 Go ahead.

17 THE WITNESS: I don't know.

18 BY MR. MIZRAHI:

19 Q. Mr. Antolini, did you verify the  
20 contents of the document for accuracy before it  
21 was filed?

22 MR. FINKELSTEIN: Objection.

23 THE WITNESS: Yes.

24 BY MR. MIZRAHI:

25 Q. How many times did you verify it?



1 MR. FINKELSTEIN: Objection.

2 Don't answer. Harassment. Don't answer, Dino.

3 Next question, please.

4 BY MR. MIZRAHI:

5 Q. Mr. Antolini, is it possible that  
6 the information contained in this document is  
7 not accurate?

8 MR. FINKELSTEIN: Don't  
9 answer. Don't answer. Irrelevant, atrocious.  
10 Anything is possible. Next question, please.  
11 Objection. I hope I said objection, Jonathan.

12 BY MR. MIZRAHI:

13 Q. Mr. Antolini, I see your signature  
14 appears here; is that correct?

15 MR. FINKELSTEIN: Objection.  
16 Asked and answered five times. You can answer,  
17 Dino.

18 THE WITNESS: Yes.

19 BY MR. MIZRAHI:

20 Q. Did you sign this document in  
21 person, or did you sign this document and then  
22 send it to your attorney virtually?

23 MR. FINKELSTEIN: Objection.  
24 Irrelevant. It goes to privilege. It goes to  
25 work product. It goes to a whole bunch of

1 things, but I'll just leave it as a general  
2 objection and motion. In practice, it will be  
3 sorted out.

4 But as to how we communicate is  
5 privileged. So don't answer, Dino. Thank you.

6 MR. MIZRAHI: Jonathan, I'd  
7 like to introduce another exhibit. Please mark  
8 this as Defendants' Exhibit G for  
9 identification.

10 (Deposition Exhibit G was  
11 marked for identification.)

12 BY MR. MIZRAHI:

13 Q. Mr. Antolini, please take a moment  
14 to familiarize yourself with this document.

15 Mr. Antolini, do you recognize this  
16 document?

17 A. Yes.

18 Q. What is it?

19 MR. FINKELSTEIN: Objection.

20 THE WITNESS: I'm not a  
21 lawyer.

22 BY MR. MIZRAHI:

23 Q. A moment ago you said that you  
24 recognize this document; is that correct?

25 MR. FINKELSTEIN: Objection.

1 Asked and answered.

2 THE WITNESS: Yes.

3 BY MR. MIZRAHI:

4 Q. So what is it?

5 MR. FINKELSTEIN: Objection.

6 He answered already. Asked and answered.

7 Objection. He just said, I'm not a lawyer.

8 BY MR. MIZRAHI:

9 Q. Does that mean you don't know what  
10 this document is?

11 MR. FINKELSTEIN: Objection.

12 Asked and answered. Rhetorical and starting to

13 appear harassing, annoying, and irritating.

14 Actually, it is harassing, annoying, and

15 irritating -- and not made in good faith, let

16 me put that in as well.

17 BY MR. MIZRAHI:

18 Q. Mr. Antolini, do you know what this  
19 document is?

20 MR. FINKELSTEIN: Asked and  
21 answered five times. You can answer it again,  
22 Dino, what the heck.

23 THE WITNESS: I signed it, and  
24 I'm not a lawyer.

25 BY MR. MIZRAHI:

1 Q. Mr. Antolini, did you read this  
2 document before you signed it?

3 A. Yes.

4 Q. How many times did you read this  
5 document before you signed it?

6 MR. FINKELSTEIN: Objection.  
7 Harassment, annoying, and certainly made in bad  
8 faith, these questions. Note my objection,  
9 please. And Dino, you can answer if you know  
10 the answer, of course.

11 THE WITNESS: I don't know.

12 Q. Mr. Antolini, do you know what a  
13 public notary is?

14 A. Yes.

15 Q. Did you sign this in front of a  
16 public notary?

17 A. Yes.

18 Q. Is this document -- is there a  
19 reason why did this document isn't notarized?

20 MR. FINKELSTEIN: Objection.

21 THE WITNESS: I'm not a  
22 lawyer.

23 BY MR. MIZRAHI:

24 Q. Who is the public notary that  
25 witnessed you sign this document?

1 MR. FINKELSTEIN: Objection.

2 THE WITNESS: What is the  
3 question?

4 BY MR. MIZRAHI:

5 Q. Who is the public notary that  
6 witnessed you sign this document?

7 A. Stuart Finkelstein.

8 Q. Did you verify the contents of this  
9 document for accuracy before it was filed with  
10 the Court?

11 MR. FINKELSTEIN: Asked and  
12 answered. You asked that question. Jonathan,  
13 if you want to go back to read it, I'd  
14 appreciate it. Go ahead and answer it anyway.  
15 Jonathan, don't waste your time.

16 THE WITNESS: What was the  
17 question again?

18 BY MR. MIZRAHI:

19 Q. My question, Mr. Antolini, was, did  
20 you verify the contents of the document before  
21 it was filed with the Court?

22 A. What do you mean verify?

23 Q. Did you review it for accuracy?

24 A. What?

25 Q. What I mean is, did you review it

1 for accuracy?

2 A. I did.

3 MR. MIZRAHI: Please note  
4 Plaintiff counsel's improper instruction for  
5 the record in the form of nonverbal  
6 communication in the nodding.

7 MR. FINKELSTEIN: I have no  
8 idea what you're talking about. But then  
9 again, that's been going on for about two  
10 years. So next question, please.

11 BY MR. MIZRAHI:

12 Q. Mr. Antolini, is it possible the  
13 information in this document is not accurate?

14 MR. FINKELSTEIN: Objection.  
15 Harassment, anything is possible, not made in  
16 good faith. He already testified that he  
17 verified its contents before he signed it.  
18 Next question, please.

19 MR. MIZRAHI: Please note the  
20 improper speaking objection and instruction for  
21 the record.

22 MR. FINKELSTEIN: Absolutely.  
23 Duly noted.

24 MR. MIZRAHI: Jonathan, please  
25 mark this Defendants' Exhibit H for

1 identification.

2 (Deposition Exhibit H was  
3 marked for identification.)

4 BY MR. MIZRAHI:

5 Q. Mr. Antolini, I'm showing you a  
6 document. Please take a moment to familiarize  
7 yourself with it.

8 Mr. Antolini, have you ever seen  
9 this document before today?

10 A. Yes.

11 Q. What is this document?

12 A. I don't know. I'm not a lawyer.

13 Q. Mr. Antolini, does your name appear  
14 anywhere in this document?

15 A. Yes.

16 MR. FINKELSTEIN: Note my  
17 objection. Self-evident.

18 BY MR. MIZRAHI:

19 Q. Mr. Antolini, is this your  
20 signature?

21 A. Yes.

22 Q. And did you sign this document in  
23 person or did you sign it -- or -- did you sign  
24 it in person or did you sign it and then  
25 transmit it electronically to your attorney?

1 MR. FINKELSTEIN: Objection.  
2 Goes to privilege, methodology of  
3 communication, how we communicated, when we  
4 communicated, and it might even be work  
5 product. I'm not sure. But I'm directing my  
6 client not to answer based on grounds of  
7 privilege. If the Judge tells me he's got to  
8 respond to it, we'll respond to it. Right now,  
9 as far as I'm concerned, it's privileged.  
10 That's my argument, that's our position.

11 BY MR. MIZRAHI:

12 Q. Mr. Antolini, did anybody witness  
13 you sign this document?

14 MR. FINKELSTEIN: Objection.  
15 You can answer, of course.

16 BY MR. MIZRAHI:

17 Q. Mr. Antolini?

18 A. Yes.

19 Q. Did anybody witness you sign this  
20 document?

21 MR. FINKELSTEIN: You can  
22 answer, Dino. Go ahead.

23 THE WITNESS: Yes.

24 Q. Who?

25 A. Come again?



1 MR. FINKELSTEIN: You're good.

2 You're good. No problem.

3 THE WITNESS: Stuart

4 Finkelstein.

5 BY MR. MIZRAHI:

6 Q. Did anybody else witness you sign  
7 this document?

8 MR. FINKELSTEIN: Did anybody  
9 else? Objection. Irrelevant, immaterial,  
10 bad-faith question, meant to harass. Anybody  
11 else -- next question, please.

12 BY MR. MIZRAHI:

13 Q. Mr. Antolini, did you read this  
14 document before it was filed?

15 A. Yes.

16 Q. And how many times did you read this  
17 document before it was filed?

18 MR. FINKELSTEIN: Objection.

19 THE WITNESS: I don't know.

20 BY MR. MIZRAHI:

21 Q. Did you verify the contents of this  
22 document for accuracy before it was filed?

23 A. Yes.

24 Q. Is it possible that the information  
25 contained in this document is not accurate?

1 MR. FINKELSTEIN: Don't  
2 answer, Dino. Next question, please. Another  
3 bad-faith question, not made in good faith,  
4 obviously. And anything is possible, and, of  
5 course, meant to harass and -- actually, abuse.  
6 Let's put the word abuse in there. Is it  
7 possible that after he verified it, and he  
8 didn't know what he was reading. Wow. Next  
9 question, please. Thank you.

10 BY MR. MIZRAHI:

11 Q. Mr. Antolini, I'm showing you the  
12 same exhibits that you had just seen a moment  
13 ago. Do you see that exhibit appearing on your  
14 screen?

15 A. I do.

16 Q. And I'm going to move to another  
17 exhibit, interchangeably, referring to Exhibit  
18 G and Exhibit H.

19 Do you see the two exhibits as I  
20 scroll through each of them?

21 A. I see just the one you put up  
22 before.

23 Q. Is the screen changing or staying  
24 the same?

25 A. Staying the same.

1 Q. Bear with me one moment,  
2 Mr. Antolini.

3 A. Okay.

4 Q. Do you see the signature here on  
5 your screen?

6 A. No.

7 Q. Do you see the --

8 A. Yes, now.

9 Q. And I'm referring to the signature  
10 in Exhibit G.

11 A. Yes.

12 Q. I'm going to show you another  
13 signature in just a moment.

14 A. Okay.

15 Q. I'm showing you another signature.  
16 Do you see this signature?

17 A. Yes.

18 Q. I'm referring to the signature that  
19 appears in Exhibit H.

20 A. Yeah, I see it.

21 Q. Is this signature the same or  
22 different from the signature I had just shown  
23 you?

24 MR. FINKELSTEIN: Objection on  
25 the multitude --

1 THE WITNESS: Same.

2 MR. FINKELSTEIN: Note my  
3 objection regardless. Thank you.

4 BY MR. MIZRAHI:

5 Q. Are these signatures identical or  
6 are they different?

7 MR. FINKELSTEIN: He said  
8 they're the same, read the record. Do you want  
9 to read it back, Jonathan, please?

10 (Reporter read from the  
11 record.)

12 MR. FINKELSTEIN: Okay. All  
13 right.

14 MR. MIZRAHI: Jonathan, please  
15 mark this as Defendants' Exhibit I for  
16 identification.

17 (Deposition Exhibit I was  
18 marked for identification.)

19 BY MR. MIZRAHI:

20 Q. Mr. Antolini, please take a moment  
21 to familiarize yourself with the document.

22 A. Okay.

23 Q. Mr. Antolini, do you recognize this  
24 document?

25 A. Yes.

1 Q. What is it?

2 A. Medical --

3 Q. Excuse me?

4 A. Medical record.

5 Q. Does your name appear anywhere on  
6 this document?

7 A. Yes.

8 Q. And does your signature appear  
9 anywhere in this document?

10 A. I don't see anything. I see  
11 initials.

12 Q. Did you did initial this document?

13 A. Yes.

14 Q. And did anybody witness you sign  
15 this document?

16 MR. FINKELSTEIN: Objection.  
17 Irrelevant, immaterial. There's no requirement  
18 for this to be witnessed by anybody. But you  
19 can -- note my objection, but you can answer,  
20 Dino.

21 THE WITNESS: I don't see the  
22 stamp.

23 BY MR. MIZRAHI:

24 Q. Did anybody witness you sign this  
25 document?

1           A.       I don't see the stamp.

2                       MR. FINKELSTEIN: He's just  
3 answered twice now.

4 BY MR. MIZRAHI:

5           Q.       Does that mean that nobody witnessed  
6 you sign it?

7           A.       I don't know.

8                       MR. FINKELSTEIN: He didn't  
9 sign it, by the way -- mischaracterization. He  
10 initialled it. Objection.

11 BY MR. MIZRAHI:

12           Q.       Mr. Antolini, did you sign this  
13 document in front of a public notary?

14                       MR. FINKELSTEIN: Objection.  
15 Asked and answered. He --

16                       THE WITNESS: I didn't sign  
17 it.

18 BY MR. MIZRAHI:

19           Q.       Mr. Antolini, did you initial this  
20 document in front of a public notary?

21           A.       Yes.

22           Q.       Who?

23                       MR. FINKELSTEIN: Objection  
24 asked and answered.

25 BY MR. MIZRAHI:

1 Q. Mr. Antolini?

2 A. I'm here.

3 MR. FINKELSTEIN: Is there a  
4 question pending, Jonathan?

5 BY MR. MIZRAHI:

6 Q. Mr. Antolini, I didn't hear what you  
7 said. Can you repeat that?

8 MR. FINKELSTEIN: Hold on a  
9 second. What was the last question, please,  
10 Jonathan? I didn't hear it.

11 (Reporter read back from the  
12 record.)

13 MR. FINKELSTEIN: Who, what?  
14 What was the question before that?

15 MR. MIZRAHI: Please make sure  
16 you're taking down Mr. Finkelstein's improper  
17 speaking objections for the record.

18 MR. FINKELSTEIN: Yeah. I'm  
19 noting it, too. Thanks.

20 (Reporter read back from the  
21 record.)

22 MR. FINKELSTEIN: Is there a  
23 question pending, Jonathan?

24 THE REPORTER: What I read was  
25 the last question, and then there was an

1 objection and then counsel asked, Mr. Antolini.  
2 And Mr. Antolini said, I'm here. And that's  
3 where we are -- oh, I think we lost  
4 Mr. Mizrahi.

5 (Short recess taken.)

6 MR. MIZRAHI: Time is now  
7 12:33 p.m., EDT. This is Jason Mizrahi.  
8 Attorney for Plaintiff, Stuart Finkelstein, had  
9 unilaterally taken a break while a question was  
10 pending. The question had remained unanswered.  
11 The question that was pending was whether or  
12 not Plaintiff had signed the previously  
13 introduced exhibit in front of a public notary.  
14 The Plaintiff had not responded to this  
15 question before taking a break.

16 The Defendants respectfully reserve  
17 their right to compel responses to this  
18 question and to seek sanctions as appropriate.

19 (Recess taken.)

20 BY MR. MIZRAHI:

21 Q. Mr. Antolini, did you initial this  
22 document in front of a public notary?

23 MR. FINKELSTEIN: Asked and  
24 answered three times. Objection.

25 BY MR. MIZRAHI:



1 Q. Go ahead, Dino.

2 MR. FINKELSTEIN: Who just  
3 said go ahead, Dino? Jonathan, that wasn't  
4 you; was it?

5 THE REPORTER: No, that was  
6 not.

7 MR. FINKELSTEIN: Yeah.  
8 Again, this is the last admonishment. You  
9 don't call my client Dino. You call him  
10 Mr. Antolini. Go ahead, Dino, what's your  
11 answer to that?

12 THE WITNESS: Yes.

13 MR. MIZRAHI: Please note the  
14 improper speaking objection for the record.

15 MR. FINKELSTEIN: It's duly  
16 noted and we appreciate your diligence. Thank  
17 you.

18 Go ahead, Dino, you can answer.

19 BY MR. MIZRAHI:

20 Q. Mr. Antolini, did you verify the  
21 contents of this document for accuracy before  
22 it was filed?

23 MR. FINKELSTEIN: Asked and  
24 answered. And it wasn't filed --

25 THE WITNESS: Yes.

1 MR. FINKELSTEIN: Objection.

2 But you said yes. Okay.

3 BY MR. MIZRAHI:

4 Q. Is it possible that the information  
5 in this document is not accurate?

6 MR. FINKELSTEIN: Hold on a  
7 second, Dino. Could you repeat that question,  
8 please, Jonathan? I didn't hear it.

9 BY MR. MIZRAHI:

10 Q. Mr. Antolini, did you hear my  
11 question?

12 MR. FINKELSTEIN: Don't  
13 answer, Dino. Could you repeat the question  
14 please, Jonathan?

15 (Reporter read from the  
16 record.)

17 MR. FINKELSTEIN: Yeah.  
18 That's why -- objection. Harassment,  
19 humiliation. After he signed it, he said he  
20 verified it. Directing my client not to  
21 answer. Next question, please. Thank you.

22 Jonathan, just to be clear, we  
23 started at 12:45; right?

24 THE REPORTER: Let me just  
25 check my timestamps.

1 BY MR. MIZRAHI:

2 Q. Mr. Antolini, I'm showing a  
3 document --

4 MR. FINKELSTEIN: Hold on. I  
5 just want to hear the answer from this  
6 gentleman.

7 THE REPORTER: It looks like  
8 we went on at 12:46.

9 MR. FINKELSTEIN: My bad.  
10 Thank you very much.

11 MR. MIZRAHI: Jonathan, please  
12 mark this as Defendants' Exhibit J for  
13 identification.

14 (Deposition Exhibit J was  
15 marked for identification.)

16 BY MR. MIZRAHI:

17 Q. Mr. Antolini, I'm showing you a  
18 document. Please take a moment to familiarize  
19 yourself with it.

20 Mr. Antolini, do you recognize this  
21 document?

22 A. Yes.

23 Q. Do you know what it is?

24 A. I think so.

25 Q. Can you tell me what it is?

1 A. Declaration. I have Bell's palsy.

2 Q. Does your name appear anywhere on  
3 this document, Mr. Antolini?

4 A. Yes.

5 MR. FINKELSTEIN: Objection.

6 Self-evident.

7 BY MR. MIZRAHI:

8 Q. Mr. Antolini, does your signature  
9 appear anywhere in this document?

10 MR. FINKELSTEIN: Objection.

11 Document speaks for itself. Self-evident.

12 BY MR. MIZRAHI:

13 Q. Mr. Antolini, is this your  
14 signature?

15 MR. FINKELSTEIN: Objection.

16 THE WITNESS: Yes.

17 BY MR. MIZRAHI:

18 Q. Did you sign this document in front  
19 of anybody?

20 MR. FINKELSTEIN: Objection.

21 THE WITNESS: I don't know.

22 BY MR. MIZRAHI:

23 Q. Did you sign this document in front  
24 of a public notary?

25 MR. FINKELSTEIN: He just

1       said, I don't know when you asked him --

2                   THE WITNESS: I don't know.

3                   MR. FINKELSTEIN: Objection.

4       BY MR. MIZRAHI:

5           Q.     Did you read this document before it  
6       was filed with the Court?

7                   MR. FINKELSTEIN: Objection.

8       You can answer, Dino.

9                   THE WITNESS: Yes.

10      BY MR. MIZRAHI:

11           Q.     How many times did you read it  
12     before it was filed?

13                   MR. FINKELSTEIN: Objection.

14                   THE WITNESS: I don't know.

15                   MR. FINKELSTEIN: Objection.

16     You're continuing to harass with insinuating  
17     that he needs to read something more than once,  
18     asking if he was reading something more than  
19     once. And I'm giving you notice of our Rule 30  
20     that I'm going to be making right after I  
21     terminate this deposition, if you continue with  
22     this harassing, bad faith, humiliating about  
23     how many times he has to read something. It  
24     really is disgusting. I'll be guided by your  
25     behavior, Mister. Go ahead, Dino. You can

1 answer, if there's a question.

2 BY MR. MIZRAHI:

3 Q. I'm sorry. Mr. Antolini, did you  
4 say, I don't know? Is that what you said?

5 A. What's the question?

6 MR. FINKELSTEIN: Court  
7 reporter, Jonathan, could you please read back  
8 Mr. Antolini's last response? I'd like --  
9 characterizing or mischaracterizing. I want to  
10 be sure.

11 THE REPORTER: Sure.

12 (Reporter read back from the  
13 record.)

14 MR. FINKELSTEIN: Okay. I got  
15 it. He said, I don't know, and then I went  
16 into my objection.

17 BY MR. MIZRAHI:

18 Q. Mr. Antolini, did you verify the  
19 contents of this document for accuracy before  
20 it was filed?

21 MR. FINKELSTEIN: Objection.

22 THE WITNESS: Yes.

23 THE REPORTER: I didn't hear  
24 that answer.

25 MR. FINKELSTEIN: Objection.

1 Don't answer, Dino. Next question. Again,  
2 with the harassment and humiliation. And then  
3 asking him did he verify for his accuracy --  
4 wow. Objection. Don't answer, Dino.

5 THE REPORTER: Counsel, I'm  
6 sorry. I didn't hear your question because I  
7 couldn't hear his previous answer. And I was  
8 trying to interrupt. And I apologize for all  
9 this, but there's just lots of crosstalk, so it  
10 makes it very difficult.

11 MR. MIZRAHI: Jonathan, I'm  
12 sorry for the interruptions caused by Mr.  
13 Finkelstein. Please let me know if you need me  
14 to repeat any of my questions.

15 THE REPORTER: Can you --

16 MR. FINKELSTEIN: Jonathan, I  
17 don't think you're doing anything wrong.  
18 You're doing just fine. Don't worry about it.  
19 I understand it's difficult, but I appreciate  
20 you doing your best efforts. Thank you.

21 THE REPORTER: I appreciate  
22 everyone on this call, and I just need to ask  
23 Mr. Mizrahi his last question.

24 MR. MIZRAHI: My question was  
25 whether he had verified the contents of the

1 document for accuracy before it was filed. I  
2 think the question was whether it was possible  
3 that the information contained in the document  
4 was not accurate.

5 MR. FINKELSTEIN: That's  
6 right. And that's what I objected to and  
7 directed him not to answer. Next question,  
8 Counsel. Thank you, Mister. Sorry.

9 MR. MIZRAHI: Jonathan, did  
10 you get that?

11 THE REPORTER: I got your  
12 question, yes.

13 MR. MIZRAHI: Jonathan, please  
14 mark this Defendants' Exhibit K for  
15 identification.

16 (Deposition Exhibit K was  
17 marked for identification.)

18 BY MR. MIZRAHI:

19 Q. Mr. Antolini, I'm showing you a  
20 document. Please take a moment to familiarize  
21 yourself with it.

22 Mr. Antolini, do you recognize this  
23 document?

24 A. Yes.

25 Q. Do you know what it is?



1 A. I'm not a lawyer.

2 Q. Have you seen this document before  
3 today?

4 A. Yes.

5 Q. When?

6 MR. FINKELSTEIN: Objection.

7 THE WITNESS: I don't know.

8 BY MR. MIZRAHI:

9 Q. Mr. Antolini, does your name appear  
10 anywhere on this document?

11 MR. FINKELSTEIN: Objection.

12 Self-evident, document speaks for itself.

13 THE WITNESS: Yes.

14 BY MR. MIZRAHI:

15 Q. Mr. Antolini, is this your  
16 signature?

17 MR. FINKELSTEIN: Objection.

18 THE WITNESS: Yes.

19 Q. Did anybody witness you sign this  
20 document?

21 MR. FINKELSTEIN:

22 Self-evident, document speaks for itself.

23 Objection. But you can answer.

24 THE WITNESS: Yes.

25 MR. MIZRAHI: Jonathan, please

1 note the improper instruction for the record.

2 BY MR. MIZRAHI:

3 Q. Who, Mr. Antolini, who did you sign  
4 this in front of?

5 MR. FINKELSTEIN: Objection.

6 Self-evident, document speaks for itself.

7 THE WITNESS: It looks like  
8 Stuart Finkelstein stamped it.

9 BY MR. MIZRAHI:

10 Q. Did you sign this in front of  
11 Mr. Finkelstein in person?

12 MR. FINKELSTEIN: Objection.

13 Goes to privilege. And also goes to the fact  
14 that Governor Cuomo, when he was in office --  
15 just for the record as a side-note --  
16 authorized virtual signatures, for notary  
17 publics to sign without the client actually,  
18 physically -- without the person, actually,  
19 physically being present.

20 So if it was done virtually or if it  
21 was done in person, it's immaterial and  
22 irrelevant. But yeah, it also goes to  
23 privilege here in terms of communication  
24 between myself and Mr. Antolini. So based off  
25 privilege, I'm directing him not to answer the

1 question. Thank you.

2 MR. MIZRAHI: Jonathan, please  
3 note the improper objection and improper  
4 instruction for the record.

5 MR. FINKELSTEIN: That's kind  
6 of convoluted, but all right. I'm going to  
7 make note of it, too. Thanks.

8 BY MR. MIZRAHI:

9 Q. Mr. Antolini, did you read this  
10 document before it was filed?

11 MR. FINKELSTEIN: Asked and  
12 answered. Objection.

13 BY MR. MIZRAHI:

14 Q. Go ahead, Mr. Antolini.

15 A. What?

16 Q. Did you read this document before it  
17 was filed?

18 MR. FINKELSTEIN: Same  
19 objection.

20 THE WITNESS: Yes.

21 BY MR. MIZRAHI:

22 Q. How many times did you read it?

23 MR. FINKELSTEIN: Objection.

24 Objection and -- go ahead. Sorry.

25 THE WITNESS: I don't know.

1 BY MR. MIZRAHI:

2 Q. Mr. Antolini, did you verify the  
3 contents of the document for accuracy before it  
4 was filed?

5 MR. FINKELSTEIN: Objection.

6 THE WITNESS: Yes.

7 Q. Is it possible that the information  
8 contained here is not accurate?

9 MR. FINKELSTEIN: Don't  
10 answer. Next question, please.

11 Again, with the harassment,  
12 bad-faith questions. Note my objection,  
13 please.

14 MR. MIZRAHI: Jonathan, please  
15 mark this Defendants' Exhibit L for  
16 identification.

17 (Deposition Exhibit L was  
18 marked for identification.)

19 BY MR. MIZRAHI:

20 Q. Mr. Antolini, I'm showing you a  
21 document. Please take a moment to familiarize  
22 yourself with it. Mr. Antolini, do you  
23 recognize this document?

24 A. Yes.

25 Q. Can you tell me what it is?

1 A. I'm not a lawyer.

2 Q. Have you seen this document before  
3 today?

4 A. Yes.

5 Q. Does your name appear anywhere in  
6 this document?

7 MR. FINKELSTEIN: Objection.

8 THE WITNESS: Yes.

9 BY MR. MIZRAHI:

10 Q. Does your signature appear anywhere  
11 in this document?

12 MR. FINKELSTEIN: Objection.

13 THE WITNESS: Yes.

14 BY MR. MIZRAHI:

15 Q. Is this your signature?

16 MR. FINKELSTEIN: Objection.

17 THE WITNESS: Yes.

18 BY MR. MIZRAHI:

19 Q. And did anybody witness you sign  
20 this document?

21 MR. FINKELSTEIN: Objection.

22 THE WITNESS: Yes.

23 BY MR. MIZRAHI:

24 Q. Who?

25 MR. FINKELSTEIN: Objection.

1 THE WITNESS: Stuart

2 Finkelstein.

3 BY MR. MIZRAHI:

4 Q. Did you sign it in front of  
5 Mr. Finkelstein?

6 MR. FINKELSTEIN: Same  
7 objection as before regarding privileged  
8 communication. Directing my client not to  
9 answer. Thank you.

10 BY MR. MIZRAHI:

11 Q. Mr. Antolini, did you sign this  
12 document in front of a public notary?

13 MR. FINKELSTEIN: Objection.  
14 Document speaks for itself, self-evident.

15 MR. MIZRAHI: Go ahead,  
16 Mr. Antolini.

17 THE WITNESS: Yes.

18 BY MR. MIZRAHI:

19 Q. Who?

20 MR. FINKELSTEIN: Asked and  
21 answered. Objection.

22 THE WITNESS: Stuart  
23 Finkelstein.

24 BY MR. MIZRAHI:

25 Q. Did you sign it in front of

1 Mr. Finkelstein?

2 MR. FINKELSTEIN: Stop, stop,  
3 stop. Come on, man. Next question please.  
4 Thank you.

5 THE REPORTER: It's really  
6 difficult for me to get this down with all  
7 the --

8 MR. FINKELSTEIN: Yeah. I'm  
9 glad you said that. Next question, please.  
10 Thank you.

11 MR. MIZRAHI: Jonathan, let me  
12 know when you're ready.

13 THE REPORTER: Thank you.  
14 Okay, Counsel.

15 BY MR. MIZRAHI:

16 Q. Mr. Antolini, did you read this  
17 document before it was filed?

18 MR. FINKELSTEIN: Objection.

19 THE WITNESS: Yes.

20 BY MR. MIZRAHI:

21 Q. How many times did you read it  
22 before it was filed?

23 MR. FINKELSTEIN: Objection.  
24 Same humiliation. That's the last time that's  
25 happening.

1 THE WITNESS: I don't know.

2 BY MR. MIZRAHI:

3 Q. Did you verify the contents of the  
4 document for accuracy before it was filed?

5 MR. FINKELSTEIN: Objection.

6 THE WITNESS: Yes.

7 BY MR. MIZRAHI:

8 Q. Is it possible that the information  
9 in this document is not accurate?

10 MR. FINKELSTEIN: Don't  
11 answer, Dino. Next question, please. Thank  
12 you.

13 MR. MIZRAHI: Jonathan, please  
14 mark this Defendants' Exhibit M for  
15 identification.

16 (Deposition Exhibit M was  
17 marked for identification.)

18 BY MR. MIZRAHI:

19 Q. Mr. Antolini, I'm showing you a  
20 document. Please take a moment to familiarize  
21 yourself with it.

22 Mr. Antolini, do you recognize this  
23 document?

24 A. Yes.

25 Q. Can you tell me what it is?



1 A. Yes -- no. I don't know.

2 Q. Have you seen this document before  
3 today?

4 MR. FINKELSTEIN: Objection.

5 THE WITNESS: Yes.

6 MR. FINKELSTEIN: Dino, take  
7 your time to answer, let me do my thing.

8 BY MR. MIZRAHI:

9 Q. Does your name appear anywhere in  
10 this document, Mr. Antolini?

11 A. Yes.

12 MR. FINKELSTEIN: Objection.

13 BY MR. MIZRAHI:

14 Q. Does your --

15 MR. FINKELSTEIN: I want to  
16 make my objection on the record, and you're not  
17 letting me do that. You're talking over my  
18 client, and you're talking over me.

19 Jonathan, please note my objection  
20 to the last few questions, please. Thank you.

21 BY MR. MIZRAHI:

22 Q. Mr. Antolini, does your signature  
23 appear anywhere on this document?

24 MR. FINKELSTEIN: Objection.

25 Dino, you can answer if you heard the question.

1 THE WITNESS: Yes.

2 BY MR. MIZRAHI:

3 Q. Is this your signature?

4 MR. FINKELSTEIN: Objection.

5 THE WITNESS: I don't see it.

6 BY MR. MIZRAHI:

7 Q. Mr. Antolini, is this your  
8 signature?

9 MR. FINKELSTEIN: Objection.

10 Document speaks for itself.

11 THE WITNESS: You didn't do it  
12 yet. I don't see it.

13 BY MR. MIZRAHI:

14 Q. Excuse me?

15 MR. FINKELSTEIN: He said you  
16 didn't do it yet.

17 MR. MIZRAHI: I'm going to  
18 note the improper instruction for the record.

19 THE WITNESS: It's not there.

20 BY MR. MIZRAHI:

21 Q. Mr. Antolini, do you see the exhibit  
22 being shared on your screen?

23 A. Yes.

24 Q. Mr. Antolini, do you see the  
25 signature appearing on your screen?

1 A. No.

2 Q. At the bottom of the page, do you  
3 see it?

4 A. Not yet. Now, yes.

5 Q. Is this your signature?

6 A. Yes.

7 Q. Did you sign this document in front  
8 of anybody?

9 MR. FINKELSTEIN: Objection.

10 Document speaks for itself. Self-evident.

11 MR. MIZRAHI: Jonathan, please  
12 note the improper speaking objection.

13 Mr. Antolini, you can answer.

14 THE WITNESS: Yes.

15 BY MR. MIZRAHI:

16 Q. Who? Mr. Antolini?

17 A. I'm here.

18 Q. Who did you sign this in front of?

19 MR. FINKELSTEIN: Objection.

20 You can answer.

21 THE WITNESS: What?

22 BY MR. MIZRAHI:

23 Q. Who did you sign this document in  
24 front of?

25 A. Let me see.

1 Q. Excuse me?

2 A. I don't see it again.

3 Q. Who did you sign this document in  
4 front of?

5 A. I don't see. Go -- you have to  
6 scroll more. I don't know.

7 Q. Mr. Antolini, how many times did you  
8 read this document before it was filed?

9 MR. FINKELSTEIN: Objection.

10 Don't answer, Dino. Here you go with the  
11 harassment, bad faith, humiliation and abuse.

12 BY MR. MIZRAHI:

13 Q. Mr. Antolini, are you okay?

14 A. I'm here.

15 MR. FINKELSTEIN: Is who okay?

16 Who's asking who's okay?

17 BY MR. MIZRAHI:

18 Q. Mr. Antolini, did you hear me?

19 A. I'm here.

20 Q. Mr. Antolini, can you please answer  
21 the question?

22 MR. FINKELSTEIN: I just told  
23 him not to, Mister, so -- next question,  
24 please.

25 BY MR. MIZRAHI:

1 Q. Mr. Antolini, did you verify the  
2 contents of this document for accuracy before  
3 it was --

4 MR. FINKELSTEIN: Objection.  
5 Asked and answered.

6 BY MR. MIZRAHI:

7 Q. Mr. Antolini, I'm going to repeat my  
8 question because I was interrupted. My  
9 question was whether you had verified the  
10 contents of the document for accuracy before it  
11 was filed?

12 MR. FINKELSTEIN: Objection.  
13 Asked and answered.

14 MR. MIZRAHI: Go ahead,  
15 Mr. Antolini, you can answer.

16 THE WITNESS: Yes.  
17 BY MR. MIZRAHI:

18 Q. Is it possible that the information  
19 in this document is not accurate?

20 MR. FINKELSTEIN: Again, don't  
21 answer. Objection. Anything's possible. It's  
22 a rhetorical question. Next question, please.

23 MR. MIZRAHI: Jonathan, please  
24 mark this Defendants' Exhibit N for  
25 identification.

1 (Deposition Exhibit N was  
2 marked for identification.)

3 BY MR. MIZRAHI:

4 Q. Mr. Antolini, I'm showing you a  
5 document. Please take a moment to familiarize  
6 yourself with it.

7 MR. FINKELSTEIN: Jonathan,  
8 I'm going to make a statement on the record.  
9 It appears to me that he's questioning him --  
10 that this document he has up on the screen,  
11 it's 219-2, filed August 24, 2021. It appears  
12 to be Dino's Declaration in support of his  
13 Motion to have Judge Magistrate Stewart Aaron  
14 recused from the case.

15 While this Motion is pending,  
16 Mr. Antolini will not be answering any  
17 questions regarding the Motion for Recusal.

18 So Dino, don't answer anything he  
19 asks you about your Declaration; okay?

20 THE WITNESS: You got it.

21 MR. MIZRAHI: Jonathan, please  
22 note the improper instruction for the record.

23 MR. FINKELSTEIN: It's not an  
24 instruction, I call it counselling my client.  
25 But all right, what's the difference?

1 MR. MIZRAHI: To be clear,  
2 Mr. Finkelstein, you're instructing your client  
3 not to answer the question?

4 MR. FINKELSTEIN: I was very  
5 clear with what I said. Next question,  
6 Counsel.

7 BY MR. MIZRAHI:

8 Q. Mr. Antolini, do you recognize this  
9 document?

10 MR. FINKELSTEIN: Don't  
11 answer, Dino. I guess he's ignoring what I  
12 said, par for the course. Just don't answer  
13 each question he asks about it.

14 BY MR. MIZRAHI:

15 Q. Mr. Antolini, do you know what this  
16 document is?

17 MR. FINKELSTEIN: Don't  
18 answer.

19 BY MR. MIZRAHI:

20 Q. Mr. Antolini, does your name appear  
21 anywhere on this document?

22 MR. FINKELSTEIN: Don't  
23 answer.

24 BY MR. MIZRAHI:

25 Q. Mr. Antolini, did you sign this

1 document?

2 MR. FINKELSTEIN: Don't  
3 answer, Dino.

4 BY MR. MIZRAHI:

5 Q. Mr. Antolini, is this your  
6 signature?

7 MR. FINKELSTEIN: Don't  
8 answer, Dino.

9 BY MR. MIZRAHI:

10 Q. Mr. Antolini, were you aware that  
11 your attorney had filed a Declaration in your  
12 name on August 24, 2021?

13 MR. FINKELSTEIN: Don't  
14 answer, Dino. Next question.

15 BY MR. MIZRAHI:

16 Q. Mr. Antolini, have you ever read  
17 this document?

18 MR. FINKELSTEIN: Don't  
19 answer, Dino.

20 BY MR. MIZRAHI:

21 Q. Mr. Antolini, did you read this  
22 document before today?

23 MR. FINKELSTEIN: Don't  
24 answer, Dino.

25 BY MR. MIZRAHI:



1           Q.     Mr. Antolini, did you verify the  
2           contents of this document before it was a filed  
3           with the Court?

4                     MR. FINKELSTEIN:   Don't  
5           answer, Dino.

6           BY MR. MIZRAHI:

7           Q.     Mr. Antolini, is it possible that  
8           the information contained in this document is  
9           not accurate?

10                    MR. FINKELSTEIN:   Don't answer  
11           Dino.   I continue objecting to the Motion made  
12           to recuse the Judge Magistrate.   And he's  
13           asking questions about a pending Motion.   It's  
14           absolutely insane, but it's par for the course.  
15           Next question, please.

16                    MR. MIZRAHI:   Jonathan, please  
17           mark this Defendants' Exhibit O for  
18           identification.

19                            (Deposition Exhibit O was  
20           marked for identification.)

21           BY MR. MIZRAHI:

22           Q.     Mr. Antolini, I'm showing you a  
23           document.   Please take a moment to familiarize  
24           yourself with it.

25                    Mr. Antolini, can you hear me?

1 A. Yes.

2 Q. Mr. Antolini, I'm showing you a  
3 document that contains a set of four signatures  
4 and an initial. Do you see that, the document?

5 A. Yes.

6 Q. Mr. Antolini, are these signatures  
7 the same or are they different?

8 MR. FINKELSTEIN: Objection.

9 THE WITNESS: They're mine.

10 MR. FINKELSTEIN: What did he  
11 say, they're mine?

12 THE WITNESS: Yeah.

13 MR. FINKELSTEIN: Okay. Cool.

14 BY MR. MIZRAHI:

15 Q. Mr. Antolini, my question was, are  
16 these signatures the same as one another or are  
17 they different?

18 MR. FINKELSTEIN: Hold on. He  
19 just said, they're mine, No. 1. No. 2,  
20 self-evident, document speaks for itself and he  
21 just verified. Next question, please.

22 MR. MIZRAHI: Mr. Antolini,  
23 you can answer the question.

24 MR. FINKELSTEIN: No. I just  
25 said next question. He's not answering. Next

1 question.

2 BY MR. MIZRAHI:

3 Q. Mr. Antolini, why are these  
4 signatures different from one another?

5 MR. FINKELSTEIN: Don't  
6 answer, Dino. Next.

7 MR. MIZRAHI: Mr. Finkelstein,  
8 to be clear, you're instructing your client not  
9 to answer the question?

10 THE WITNESS: I'm here.

11 MR. FINKELSTEIN: That's okay,  
12 Dino. It's all good.

13 MR. MIZRAHI: Jonathan, I  
14 would like to introduce another exhibit for the  
15 record. Please mark this Defendants' Exhibit P  
16 for identification.

17 (Deposition Exhibit P was  
18 marked for identification.)

19 BY MR. MIZRAHI:

20 Q. Mr. Finkelstein -- I'm sorry.

21 Mr. Antolini, I'm showing you a copy  
22 of the Complaint filed on September 28, 2019.  
23 Please take a moment to familiarize yourself  
24 with this document.

25 Mr. Antolini, do you recognize this

1 document?

2 A. Yes.

3 Q. Can you tell me what it is?

4 A. Like I said before, I'm not a  
5 lawyer. I've said it before.

6 Q. And do you recognize it?

7 MR. FINKELSTEIN: Objection.  
8 You can answer, Dino.

9 THE WITNESS: Yes.

10 BY MR. MIZRAHI:

11 Q. Does your name appear anywhere on  
12 this document?

13 MR. FINKELSTEIN:  
14 Self-evident. Objection. Document speaks for  
15 itself.

16 BY MR. MIZRAHI:

17 Q. Mr. Antolini, what was your answer?

18 A. Yes.

19 Q. Did you read this Complaint before  
20 it was filed?

21 MR. FINKELSTEIN: Objection.

22 THE WITNESS: Yes.

23 BY MR. MIZRAHI:

24 Q. How many times did you read it?

25 MR. FINKELSTEIN: Objection.

1 Don't answer.

2 MR. MIZRAHI: Please note the  
3 improper instruction.

4 MR. FINKELSTEIN: Please note  
5 the -- duly noted. Appreciate it.

6 BY MR. MIZRAHI:

7 Q. Did you verify the contents of this  
8 Complaint for accuracy before it was filed?

9 MR. FINKELSTEIN: Objection.  
10 He said he read it. You can answer, Dino.

11 THE WITNESS: Yes.

12 MR. MIZRAHI: Please note the  
13 improper instruction for the record.

14 BY MR. MIZRAHI:

15 Q. How many times did you verify the  
16 contents of the Complaint for accuracy?

17 MR. FINKELSTEIN: Objection.  
18 Don't answer, Dino. It's irrelevant, it's  
19 immaterial, it's in bad faith. And, again,  
20 demeaning and humiliating that someone would  
21 have to read something -- go ahead. Objection.

22 BY MR. MIZRAHI:

23 Q. Mr. Antolini, is it possible that  
24 the information contained in this Complaint is  
25 not accurate?

1 MR. FINKELSTEIN: Don't  
2 answer, Dino. Don't answer.

3 BY MR. MIZRAHI:

4 Q. Mr. Antolini, I'm showing you two  
5 photographs that have been filed in your  
6 Complaint; do you see them?

7 A. Yes.

8 Q. Did you take these photographs?

9 A. No.

10 Q. Do you know who took these  
11 photographs?

12 A. No.

13 Q. Mr. Antolini, do you know anyone by  
14 the name of Amy McCloskey?

15 MR. FINKELSTEIN: Objection.  
16 You can answer.

17 THE WITNESS: I don't know  
18 what you mean.

19 BY MR. MIZRAHI:

20 Q. Do you know anyone by the name of  
21 Amy McCloskey?

22 A. Amy? No.

23 Q. Do you know anyone by the name of  
24 Theresa Laurent?

25 A. No.

1 Q. And do you know anyone by the name  
2 of Eddie Chung?

3 A. No.

4 MR. FINKELSTEIN: Actually,  
5 it's Eddie C.K. Chung, just for the record.

6 BY MR. MIZRAHI:

7 Q. Mr. Antolini, the three individuals  
8 that I listed appear to be named as individual  
9 Defendants in this lawsuit. Why are they named  
10 in this lawsuit?

11 MR. FINKELSTEIN: Objection.  
12 I don't know. Why are they named in this  
13 lawsuit? Dino, if you know, you know. If you  
14 don't, you don't. It's okay, when I think  
15 about it.

16 THE WITNESS: I don't know.

17 MR. MIZRAHI: Jonathan, please  
18 note the improper instruction for the record.

19 MR. FINKELSTEIN: Yeah. Duly  
20 noted, for sure. Thank you.

21 BY MR. MIZRAHI:

22 Q. Mr. Antolini, if you don't know who  
23 these individuals are, why did you name them in  
24 this lawsuit?

25 MR. FINKELSTEIN: Objection.

1 Argumentative, assuming facts not in evidence,  
2 might even be calling for a legal conclusion  
3 and, certainly, harassment. He's assuming my  
4 client has a duty -- you can answer, Dino. I  
5 just want to make sure my objection is on the  
6 record.

7 THE WITNESS: Okay. I gave  
8 the name of the place to my attorney, and he  
9 must have looked it up for his own self.

10 BY MR. MIZRAHI:

11 Q. Mr. Antolini --

12 MR. FINKELSTEIN: You  
13 interrupted him, Mister. Let him finish his  
14 answer. Go ahead, Dino.

15 THE WITNESS: That's why I  
16 have an attorney, he does the legwork.

17 BY MR. MIZRAHI:

18 Q. Mr. Antolini, do you know what Dimur  
19 Enterprises, Inc. Is?

20 A. Who?

21 Q. Dimur Enterprises, Incorporated.

22 A. I don't know.

23 Q. Do you know a company by the name of  
24 C&S Millennium Real Estate, LLC?

25 A. No, no.



1 Q. Do you know why these two entities  
2 are named in this lawsuit?

3 MR. FINKELSTEIN: Objection.  
4 You can answer.

5 THE WITNESS: I assume my  
6 lawyer looked up who is behind the  
7 establishment.

8 BY MR. MIZRAHI:

9 Q. Mr. Antolini, do you recall sitting  
10 for a deposition with me back in April?

11 MR. FINKELSTEIN: Hold on a  
12 second. Jonathan, I didn't hear the question.  
13 Did you what with me back in April?

14 (Reporter read back from the  
15 record.)

16 MR. FINKELSTEIN: Sitting with  
17 me. Objection. You can answer.

18 THE WITNESS: On the video,  
19 not sitting. I only saw you on the video.

20 BY MR. MIZRAHI:

21 Q. On the video, right. Over the  
22 computer; do you remember?

23 A. Yes.

24 Q. During that last deposition, you had  
25 previously testified that you had a history of

1 alcoholism; do you recall that?

2 MR. FINKELSTEIN: Not  
3 answering. Next question. Humiliating,  
4 embarrassment. One more question regarding  
5 alcoholism or physical anything, we are  
6 terminating the deposition, Counsel.

7 And, in addition, we're not going to  
8 let you rehash disgustingness. It's a  
9 continuing deposition, and I'm directing him  
10 not to answer.

11 BY MR. MIZRAHI:

12 Q. Mr. Antolini, I didn't hear what you  
13 said. Could --

14 MR. FINKELSTEIN: He didn't  
15 say anything because I told him not to answer.  
16 Unless he said something, Jonathan, and I  
17 didn't hear it. Did you hear his answer?

18 THE REPORTER: I did not hear  
19 anything from the Witness.

20 MR. FINKELSTEIN: Okay. Cool.  
21 Don't answer, Dino.

22 MR. MIZRAHI: Jonathan, I'm  
23 not going to be marking this as an exhibit, but  
24 I'd like to share it on my screen.

25 BY MR. MIZRAHI:

1           Q.     Mr. Antolini, I'm just going to read  
2     some of the conversation that we had at your  
3     last deposition --

4                     MR. FINKELSTEIN:  Objection.  
5     Objection to the word conversation.

6     BY MR. MIZRAHI:

7           Q.     And you can follow along with me on  
8     your screen; is that all right, Mr. Antolini?

9           A.     Go ahead.

10          Q.     Okay.  So I'm showing you here, on  
11     the bottom of Page 226, the question was,  
12     "Mr. Antolini, do you have a history of  
13     alcoholism."  And in response, on the top of  
14     Page 227, you had answered, "yes."

15                     Do you see that?

16                     MR. FINKELSTEIN:  Dino, listen  
17     to me, please.  You are not going to respond to  
18     any of these questions, these disgusting,  
19     sordid, humiliating, mentally embarrassing,  
20     abuse questions.  He can read till the cows  
21     come home, Dino.  You are not going to answer  
22     anything regarding the last deposition.  It's  
23     almost as if he wants you to impeach yourself.  
24     And we're not rehashing anything.  So Dino,  
25     nothing; okay?

1 THE WITNESS: You got it.

2 MR. MIZRAHI: Jonathan, please  
3 note the improper speaking objection for the  
4 record and the improper instruction for the  
5 record.

6 BY MR. MIZRAHI:

7 Q. Mr. Antolini, I'm showing you at the  
8 bottom of Page 228, beginning at Line 20, the  
9 question was, "Mr. Antolini, do you have a  
10 history of alcoholism." The answer was, "yes."

11 Do you see that, Mr. Antolini?

12 MR. FINKELSTEIN: Next  
13 question, if you want to call that a question.

14 BY MR. MIZRAHI:

15 Q. Mr. Antolini, I'm showing you  
16 Page 261 of your last deposition. The question  
17 that I had asked you was, "Were you a  
18 recovering alcohol abuser." The answer was,  
19 "yes."

20 Do you see that?

21 MR. FINKELSTEIN: Next  
22 question.

23 BY MR. MIZRAHI:

24 Q. Mr. Antolini, can you hear me?

25 A. Yes.

1 Q. Mr. Antolini, my question to you is,  
2 if you were a recovering alcoholic, and if you  
3 had a history of alcohol abuse, why are you  
4 going into bars?

5 MR. FINKELSTEIN: Next  
6 question.

7 BY MR. MIZRAHI:

8 Q. Mr. Antolini, go ahead.

9 MR. FINKELSTEIN: Next  
10 question.

11 BY MR. MIZRAHI:

12 Q. Mr. Antolini, can you hear me?

13 A. Yes, I can hear you.

14 Q. Mr. Antolini, I'm pulling up a copy  
15 of the Complaint. I'm going to refer you to  
16 Paragraph 57. Do you see that?

17 A. Yes.

18 Q. I'm going to refer you to Paragraph  
19 69. Do you see that?

20 A. Which one?

21 Q. 69.

22 A. Okay.

23 Q. So I'm going to refer you to  
24 Paragraph 83 -- excuse me, 85. Do you see  
25 that?

1 A. Okay.

2 Q. Paragraphs 57, 69 and 85 all allege  
3 that you suffered "emotional distress."

4 Do you see that?

5 A. Yes.

6 Q. Mr. Antolini, what does emotional  
7 distress mean?

8 MR. FINKELSTEIN: Objection.  
9 Don't answer that. Humiliating, embarrassing,  
10 maybe looking to make fun of his educational  
11 level. Next question, Counsel. Disgusting.  
12 Next question, please.

13 BY MR. MIZRAHI:

14 Q. Mr. Antolini, have you ever suffered  
15 from emotional distress?

16 MR. FINKELSTEIN: Objection.  
17 Vague. You can answer.

18 THE WITNESS: I'm suffering  
19 right now. You're making me --

20 MR. FINKELSTEIN: Jonathan,  
21 did you --

22 THE REPORTER: I didn't get  
23 that last part.

24 BY MR. MIZRAHI:

25 Q. Can you describe it to me,

1 Mr. Antolini?

2 MR. FINKELSTEIN: Did you get  
3 his answer, Jonathan?

4 THE REPORTER: I'm trying to  
5 interrupt to let you know that I got the first  
6 part of his answer, but I didn't get the rest  
7 because there was crosstalk.

8 THE WITNESS: You are doing  
9 it. You are making me suffer, you understand?

10 BY MR. MIZRAHI:

11 Q. Mr. Antolini --

12 MR. FINKELSTEIN: Don't  
13 interrupt him. You interrupted him in the  
14 middle of his answer. Huh?

15 THE WITNESS: You, my friend,  
16 are causing emotional disturbance.  
17 Humiliating, denigrating, and stigmatizing me.  
18 I don't stand for that.

19 BY MR. MIZRAHI:

20 Q. Mr. Antolini, you filed a Complaint  
21 on September 28, 2019. The Complaint says that  
22 you suffer from emotional distress. Do you see  
23 that?

24 A. Where?

25 Q. I'm highlighting it for you.

1 MR. FINKELSTEIN: Objection to  
2 this mischaracterization and leaving out of  
3 context within which he suffered this emotional  
4 distress.

5 If he wants to not cherry-pick and  
6 read the entire Paragraph No. 57, that you've  
7 highlighted, or Dino, take your time and you  
8 read it, go ahead.

9 BY MR. MIZRAHI:

10 Q. Do you see that, Mr. Antolini?

11 A. Yes.

12 Q. So the Compliant says that you  
13 suffered and you continue to suffer from  
14 emotional distress; do you see that?

15 A. Yes.

16 MR. FINKELSTEIN: He's  
17 cherry-picking and taking out of context. You  
18 see what it says there, No. 57, it says, as a  
19 direct and proximate, did you read that?

20 THE WITNESS: Yeah.

21 MR. FINKELSTEIN: As a direct  
22 and proximate result of Defendants' unlawful  
23 discrimination and violation of -- blah, blah,  
24 blah. Okay. Now you can answer, if you know.

25 THE WITNESS: Yes. I couldn't



1 get in. I feel like I'm stigmatized.

2 MR. MIZRAHI: Jonathan, please  
3 note the improper --

4 THE WITNESS: Americans with  
5 disabilities, we are the No. 1 minority in this  
6 nation right now. And it's about time to be  
7 included, not excluded.

8 MR. MIZRAHI: Jonathan, please  
9 note the improper speaking objection and  
10 instruction for the record.

11 MR. FINKELSTEIN: Jonathan,  
12 note that this has now been the seventh time  
13 when Mr. Antolini is in the middle of an  
14 answer, this guy keeps interrupting him and  
15 stepping all over his speech. I don't get it.  
16 It's like, why ask the questions, if you don't  
17 want to hear the answer. So I'm, again, going  
18 to admonish you for speaking while my client is  
19 responding. Go ahead. What's your next  
20 question there, Mister?

21 BY MR. MIZRAHI:

22 Q. Mr. Antolini, have you ever been  
23 evaluated for emotional distress?

24 MR. FINKELSTEIN: As a result  
25 of this lawsuit? You can answer that, Dino.

1 Because that's a pretty open-ended question  
2 going back since 63/64 years. So I'm actually  
3 going to make -- object to form.

4 THE WITNESS: What was the  
5 question again?

6 MR. MIZRAHI: I'm going to  
7 note, once again, the improper speaking  
8 objection for the record.

9 BY MR. MIZRAHI:

10 Q. Mr. Antolini, my question was, have  
11 you ever been evaluated for emotional distress?

12 A. Yes.

13 Q. When?

14 A. I don't know.

15 Q. Was it before the filing of this  
16 Complaint?

17 MR. FINKELSTEIN: Objection.

18 THE WITNESS: Could be any  
19 time.

20 BY MR. MIZRAHI:

21 Q. Was it after the filing of this  
22 Complaint?

23 MR. FINKELSTEIN: Objection.

24 THE WITNESS: Yes.

25 BY MR. MIZRAHI:

1 Q. Who evaluated you for emotional  
2 distress, Mr. Antolini?

3 A. I don't know the name of the doctor.

4 Q. Would it have been Dr. Matthew Swan?

5 A. Could have been.

6 Q. Would it have been another doctor?

7 A. I don't know.

8 Q. Have you ever been evaluated by a  
9 doctor for emotional distress after the filing  
10 of this Complaint?

11 MR. FINKELSTEIN: Asked and  
12 answered. Objection. Actually, could you read  
13 back his answer to that, please, Jonathan?

14 (Reporter read back from the  
15 record.)

16 MR. FINKELSTEIN: Thank you.  
17 Same objection, asked and answered.

18 BY MR. MIZRAHI:

19 Q. Mr. Antolini, have you ever been  
20 diagnosed with any medical condition as a  
21 result of this emotional distress?

22 MR. FINKELSTEIN: Objection.

23 THE WITNESS: I don't know  
24 what you mean.

25 BY MR. MIZRAHI:

1 Q. You said you had been evaluated by a  
2 doctor for emotional distress; is that correct?

3 MR. FINKELSTEIN: Objection.

4 Asked and answered.

5 THE WITNESS: When?

6 BY MR. MIZRAHI:

7 Q. Have you ever been evaluated for  
8 emotional distress?

9 MR. FINKELSTEIN: Asked and  
10 answered now five times -- Dino, let me make my  
11 record. I know you're upset, I know.

12 BY MR. MIZRAHI:

13 Q. Mr. Antolini -- can you hear me,  
14 Mr. Antolini?

15 A. Yes.

16 Q. My question to you was if you've  
17 ever been evaluated for emotional distress?

18 MR. FINKELSTEIN: And we're  
19 now objecting on the grounds of harassment.  
20 He's answered that question, three, maybe four  
21 times. Asked and answered that question three,  
22 maybe four times. So bad faith. Maybe even  
23 humiliation and embarrassment about this  
24 emotional distress thing. But Dino, you can  
25 answer again for the fourth or fifth time.

1 Note my objection.

2 THE WITNESS: I'm going to go  
3 tomorrow to be evaluated because you're causing  
4 me emotional distress.

5 BY MR. MIZRAHI:

6 Q. My question --

7 A. I'm going tomorrow because you're  
8 causing me emotional distress. Thank you. Now  
9 you got your answer. You happy? Tomorrow,  
10 Tuesday.

11 Q. Mr. Antolini, can you tell me what's  
12 upsetting you?

13 MR. FINKELSTEIN: Objection.  
14 Are you kidding me? Don't answer, Dino.

15 BY MR. MIZRAHI:

16 Q. Mr. Antolini, you can --

17 MR. FINKELSTEIN: Actually,  
18 it's a rhetorical question. He's already told  
19 you for the last couple of minutes, you're  
20 what's upsetting him, but you're not listening.  
21 But whatever. Next question.

22 MR. MIZRAHI: I'm going to  
23 note the improper instruction for the record.

24 MR. FINKELSTEIN: Yeah. We'll  
25 note it, too. Next question, Counsel. Thank

1           you.

2           BY MR. MIZRAHI:

3           Q.       Mr. Antolini, a moment ago, you said  
4           that you were feeling upset; is that correct?

5                     MR. FINKELSTEIN:  Don't answer  
6           -- no, that's okay.  Objection, but answer.

7                     THE WITNESS:  What was the  
8           question again?

9           BY MR. MIZRAHI:

10          Q.       A moment ago, you said that you were  
11          feeling upset; is that correct?

12                    MR. FINKELSTEIN:  Objection.

13                    THE WITNESS:  To you.

14          BY MR. MIZRAHI:

15          Q.       Can you be more specific and tell me  
16          what's upsetting you?

17                    MR. FINKELSTEIN:  He just said  
18          to you.  Next question, Counsel.

19                    THE WITNESS:  You are  
20          degrading me --

21                    MR. FINKELSTEIN:  Dino, Dino,  
22          Dino, you gotta let me do my thing.  If I tell  
23          you don't answer, don't answer, okay?  It's  
24          going from ridiculous to sublime to sheer  
25          stupidity.  Please don't answer, Dino, if I say

1 don't answer. Don't say anything. Thank you.

2 MR. MIZRAHI: Mr. Finkelstein,  
3 what's the basis of your instruction to your  
4 client not to answer the question?  
5 Mr. Finkelstein?

6 MR. FINKELSTEIN: Are you  
7 talking to me?

8 MR. MIZRAHI: What's the basis  
9 of your instruction to your client not to  
10 answer the question?

11 MR. FINKELSTEIN: Uh-huh.

12 MR. MIZRAHI: Jonathan, before  
13 we conclude, I'd like to make a brief statement  
14 for the record. Let me know whenever you're  
15 ready.

16 THE REPORTER: Go ahead,  
17 Counsel.

18 MR. MIZRAHI: I'm going to be  
19 reading from the Order of the Honorable  
20 Magistrate Judge Stewart D. Aaron, dated  
21 June 19, 2021, Docket Entry No. 184. The Order  
22 states, in pertinent part, as follows: "Based  
23 on Mr. Finkelstein's conduct -- referring to  
24 his conduct at his client's deposition -- the  
25 Court will impose sanctions on him. The Court

1 will base the extent and/or the amount of such  
2 sanctions --

3 MR. FINKELSTEIN: If you're  
4 through with your deposition -- hold on a  
5 second -- I don't think Dino and I want to  
6 waste our time sitting here. If you're through  
7 with your deposition, so advised. Otherwise,  
8 I'm not sitting here for your recitation of  
9 whatever Order you want to read. Are you  
10 finished, Counsel? Are you finished, Mister,  
11 with this deposition?

12 MR. MIZRAHI: Jonathan, please  
13 let me know when you got cut off so I can  
14 continue.

15 MR. FINKELSTEIN: I want to  
16 know if you're finished because you said  
17 something about concluding. We're not going to  
18 sit here and listen to your reading of the  
19 Judge's Order. Are you through? Why can't you  
20 answer the question? I don't understand,  
21 what's so hard? You don't want to answer.

22 We're going to hop off because I'm  
23 taking that to mean that he's finished with his  
24 deposition. You know what, Dino, I'm going to  
25 give him the benefit of the doubt. Keep



1 reading, Counsel. Let's end this on a high  
2 note.

3 (Reporter read back from the  
4 record.)

5 MR. MIZRAHI: Jonathan, please  
6 continue to note Mr. Finkelstein's improper  
7 interruptions and speaking objections for the  
8 record.

9 If I can continue, the Order states,  
10 "the Court will base the extent and/or the  
11 amount of such sanctions on the totality of  
12 Mr. Finkelstein's conduct during Plaintiff's  
13 deposition, which remains open," referring to  
14 today's deposition on August 26, 2021.

15 "Once the deposition is completed,  
16 the Court will issue a Written Opinion and  
17 Order regarding such sanctions."

18 Based on Mr. Finkelstein's conduct  
19 here today, Defendants respectfully reserve the  
20 right to supplement their Motion for Sanctions  
21 against Mr. Finkelstein For his conduct during  
22 today's deposition.

23 Jonathan, let me know if I need to  
24 restate any of that.

25 THE REPORTER: I have that.

1 Thank you.

2 MR. FINKELSTEIN: It's 1:40,  
3 you've been speaking since 1:35 putting  
4 statements on the record. If I don't hear a  
5 question from you in the next minute, we're  
6 just going to sign off, Dino and I, because  
7 you've ceased questioning of him. We're not  
8 going to sit here and wait for you -- or,  
9 listen to your speeches, I should say. It's  
10 1:40. At 1:41, Dino, we'll hop off unless I  
11 hear something from him.

12 MR. MIZRAHI: Jonathan, please  
13 note Mr. Finkelstein's threat to unilaterally  
14 terminate today's deposition.

15 MR. FINKELSTEIN: Coming up on  
16 1:41, Counsel, we're still sitting here  
17 waiting. I know you like to control things,  
18 but this is a little nutty.

19 Let me ask you one last time, we're  
20 sitting here watching you on the screen. Are  
21 you through with this deposition; yes or no,  
22 Counsel? Otherwise, we're hopping off.

23 MR. MIZRAHI: Jonathan, again,  
24 please note my adversary's threat to  
25 unilaterally cancel today's deposition.

1 MR. FINKELSTEIN: It's not a  
2 threat. You have ceased questioning now for  
3 five minutes. We're not going to sit here any  
4 longer.

5 Jonathan, are you getting all my  
6 statements on the record, and his continuing  
7 silence, just sitting there?

8 THE REPORTER: I have  
9 everything, yes.

10 MR. FINKELSTEIN: Thank you.

11 I'm going to ask you again, for the  
12 third time, at six minutes, are you finished  
13 with this deposition, Counsel?

14 I don't get this. I really don't  
15 understand this crazy behavior.

16 MR. MIZRAHI: Bear with me one  
17 moment, Mr. Antolini.

18 MR. FINKELSTEIN: What did he  
19 say, Jonathan?

20 (Reporter read back from the  
21 record.)

22 MR. FINKELSTEIN: Now, coming  
23 up on seven minutes of no questioning. When it  
24 gets to eight, we're gone, just so you know.

25 We're at eight minutes of you

1 sitting there staring at a screen, waiting for  
2 you to answer whether you're through with your  
3 deposition and not even questioning him in  
4 eight minutes. What are you doing there?

5 MR. MIZRAHI: Mr. Finkelstein,  
6 please be --

7 Mr. FINKELSTEIN: What? What?

8 MR. MIZRAHI: Please, just  
9 bear with me, Mr. Finkelstein.

10 MR. FINKELSTEIN: I'm not  
11 going to bear with you. It's now coming up on  
12 nine minutes and as soon as it get to ten, no  
13 more idle threats. At ten minutes, yes, we're  
14 terminating the deposition. One minute,  
15 Counsel. Be patient, be patient -- do you  
16 believe --

17 MR. MIZRAHI: Jonathan, please  
18 note my adversary's --

19 MR. FINKELSTEIN: Please note  
20 he's making us sit here for close to ten  
21 minutes in silence while he looks and gazes at  
22 his screen, with my client and I sitting here  
23 like lumps on a log. This is sickening,  
24 sickening behavior.

25 MR. MIZRAHI: Jonathan, please

1 note the unilateral threats to terminate the  
2 deposition. Mr. Finkelstein -- Jonathan, why  
3 don't we take a break and come back at 1:48  
4 p.m.

5 MR. FINKELSTEIN: No, we're  
6 not going to take a break after we sat here for  
7 ten minutes. We're going to call the Judge and  
8 tell him we sat here for ten minutes. Let's  
9 get him on the phone -- and then take a break,  
10 prep your own deposition on your own time.

11 Jonathan, we're going to be calling  
12 the Judge. Not taking any break.

13 THE REPORTER: Can I ask, is  
14 the phone call on the record?

15 Mr. FINKELSTEIN: It's going  
16 to be as soon as we get the Judge's directions.

17 MR. MIZRAHI: Yes, Jonathan,  
18 it needs to be on the record. I'm going to  
19 note that Mr. Finkelstein had previously muted  
20 his microphone when he gave the speaking  
21 comport. Please take down all the conversation  
22 on the record, Jonathan.

23 We will have to call you directly,  
24 so you'll be able to hear the Court  
25 simultaneously. As soon as Mr. Finkelstein has

1 arranged for the Judge to be on the line, we'll  
2 give you a call as well.

3 In the meantime, I would like to  
4 note that, once again, Mr. Finkelstein has  
5 muted his mic such that we cannot hear what he  
6 is saying, presumably to Judge Aaron's  
7 chambers.

8 MR. FINKELSTEIN: Jonathan, are we  
9 on the record?

10 THE REPORTER: Yes.

11 MR. FINKELSTEIN: It's 1:48.  
12 I just left a message with Judge's chambers,  
13 left my phone number. And hopefully, he'll get  
14 it and set up the conference for a ruling.  
15 Okay. So we'll sit tight.

16 MR. MIZRAHI: Jonathan, I may  
17 ask you to refer to certain parts of today's  
18 deposition while we're on the phone with the  
19 Judge. Do you have a function to Ctrl-F?

20 THE REPORTER: I do.

21 MR. MIZRAHI: Mr. Finkelstein,  
22 if you're going to be contacting the Court, I'd  
23 ask that you call me first before you reach out  
24 to the Court's chambers.

25 Mr. Finkelstein, did you hear me?

1 (Speaking on the phone)

2 MR. FINKELSTEIN: Yes, good  
3 afternoon, Judge. Stuart Finkelstein, I left a  
4 message on the other phone. We have an ongoing  
5 deposition here, and I'm calling for a ruling.  
6 This is Antolini v. McCloskey. My phone number  
7 is 718-261-4900. The Index number is  
8 19-CV-09038. And we're all just sitting back  
9 waiting to hear back from Your Honor. Again,  
10 718-261-4900. Thank you.

11 MR. MIZRAHI: Let's just go  
12 off the record until the Judge gives us a call  
13 back.

14 (Short recess taken.)

15 MR. MIZRAHI: I have no  
16 further questions. We're going to discontinue  
17 today's deposition, unless you have any  
18 cross-examination.

19 MR. FINKELSTEIN: I didn't  
20 hear you, you have no further questions, what?

21 MR. MIZRAHI: Jonathan, I have  
22 no further questions.

23 MR. FINKELSTEIN: Is that on  
24 the record, Jonathan?

25 (Reporter read back from the

1 record.)

2 MR. FINKELSTEIN: Do you have  
3 any further questions of my client, yes or no?

4 MR. MIZRAHI: Mr. Antolini,  
5 thank you for your time here today. I  
6 appreciate you sitting and taking --

7 MR. FINKELSTEIN: Perverted --  
8 all right, Dino, hop off. We're good.

9 THE REPORTER:  
10 Mr. Finkelstein, are you ordering a copy of  
11 this transcript?

12 MR. FINKELSTEIN: Do I have to  
13 pay for it?

14 THE REPORTER: You do, sir.

15 MR. FINKELSTEIN: Let  
16 Defendants pay for it and send it to me; okay?

17 THE REPORTER: Do you want me  
18 to put that on the record?

19 MR. FINKELSTEIN: Jonathan,  
20 that's a joke. You don't have to put that on  
21 the record, that's a joke. Jesus Christ.

22 MR. MIZRAHI: Jonathan, every  
23 word, every word --

24 MR. FINKELSTEIN: Every word,  
25 Mary said -- listen, Jonathan, stay safe.



1           Okay.

2                         THE REPORTER:   Thank you.

3                         MR. FINKELSTEIN:   Every word,  
4           Mary wants in.

5                         MR. MIZRAHI:   Jonathan, please  
6           make sure that colloquy is reflected in the  
7           record.

8                         MR. FINKELSTEIN:   Yes.   Get  
9           everything, Jonathan.   And that I said to you  
10          have a safe week.   Okay.

11                        THE REPORTER:   Thank you.  
12          You, too.

13                        MR. FINKELSTEIN:   Bye.

14                        (At 1:55 p.m., EDT the  
15          deposition was concluded.   Signature was not  
16          waived.)

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C E R T I F I C A T E

- - -

I, Dino Antolini, do hereby  
certify that I have read the foregoing  
transcript and it is a true and correct copy of  
my deposition, except for the changes, if any,  
made by me on the attached Deposition  
Correction Sheet.

\_\_\_\_\_

\_\_\_\_\_  
Date

| 1  | ERRATA | SHEET | REASON FOR        |
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1 COMMONWEALTH OF PENNSYLVANIA )  
2 ) SS  
3 COUNTY OF ALLEGHENY )

4 CERTIFICATE

5 I, Jonathan MacDonald, a notary public in  
6 and for the Commonwealth of Pennsylvania, do  
7 hereby certify that the witness, Dino Antolini,  
8 was by me first duly sworn to testify the  
9 truth, the whole truth, and nothing but the  
10 truth; that the foregoing deposition was taken  
11 at the time and place stated herein; and that  
12 the said deposition was recorded  
13 stenographically by me and then reduced to  
14 typewriting under my direction, and constitutes  
15 a true record of the testimony given by said  
16 witness.

17 I further certify that I am not a  
18 relative, employee or attorney of any of the  
19 parties, or a relative or employee of either  
20 counsel, and that I am in no way interested  
21 directly or indirectly in this action.

22 IN WITNESS WHEREOF, I have hereunto set my  
23 hand and affixed my seal of office this 1st day  
24 of September 2021.

25  
\_\_\_\_\_  
Jonathan MacDonald, Notary Public  
Court Reporter

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